

Assessing progress in achieving equitable access to water and sanitation

Pilot project in Portugal

Country Report

<i>Page</i>	<i>Content</i>
1	1. Situational Analysis
1	I – Country profile
2	II – Actions taken
2	II.1 Steering governance frameworks to deliver equitable access to water and sanitation
4	II.2 Reducing geographical disparities
6	II.3 Ensuring access for vulnerable and marginalized groups
8	II.4 Keeping water and sanitation affordable for all
10	III – Critical assessment of the scorecard and propositions for improving it
11	2. Workshop discussion, critical assessment of the process and recommendations for the follow up of the country process
13	3. Practical “roadmap” for future developments in the country process
14	Annex: Score card: Actions taken in Portugal

This document does not reflect any opinion or position of UNECE. It has been prepared by the Portuguese pilot project team.

1. Situational Analysis

Tool for monitoring progress in achieving equitable access to water and sanitation in the pan-European region

Pilot exercise: Portugal

The situational analysis is aimed to provide a self-assessment structured according to the draft scorecard. The analysis also includes a critical assessment of the draft scorecard (usefulness, ease-of-use) as well as suggestions for improving the scorecard (such as adding or eliminating parts).

Self-assessment of access to water and sanitation in Portugal

In Portugal, the access to water and sanitation is considered universal since the population has access to either public or private solutions. These private solutions have, however, some problems especially related with the lack of monitoring of water quality and of rejected wastewater. The areas supplied with public services have generically a good coverage of service, excellent drinking water quality and a solid quality of service. However, access by vulnerable and marginalized groups should deserve additional specific protection measures through an effective positive discrimination policy.

Through this exercise, one of the main aspects that have been identified as a priority for improvement was the need for better collection of sound and audited information regarding access to these services by these vulnerable and marginalized groups. Also, there should be an improvement in the collection of available information at national level regarding investments and financing to address access to water and sanitation policies.

The fact that these services are a municipal responsibility makes the aggregation of information more difficult, which then translates in a more complex formulation of national policies. This relates also to the existence of several tariff policies at the municipal level which paves the ground for the existence of very heterogeneous tariff structures and values, with different impacts in terms of affordability by end-users. Whereas at national level the water and sanitation services are, on average, affordable, some specific local affordability issues may subsist for the lowest income households. To address this problem, several national policies for tariffs and in social security mechanisms have been created, which depend however on municipal level decisions.

I. Country profile

Portugal is a unitary state with two autonomous regions, the islands of Madeira and Azores in the Atlantic Ocean. This exercise will focus only on mainland Portugal. According to the last national population census, Portugal has 10 047 621 inhabitants in 89 089 Km² and an average 16194 €/per capita.

There are no official figures concerning population living in urban/peri-urban and rural areas. Assigning population to any such category has proved to be a difficult task. For the purposes of this exercise, 47,5% of the population was considered as living in urban areas, i.e., places above 5000 inhabitants, and 39% as living in rural areas, i.e., places with less than 2000 inhabitants.

Concerning access to water and sanitation, Portugal has achieved some important mile steps in recent years. In 2011, about 5% of the population had no access to public drinking water supply,

down from 9% in 2006. About 19% still had no access to wastewater collection and 22% had no access to an adequate wastewater treatment, down from 23% and 28%, respectively¹.

The country has signed and/or ratified almost all of the legal instruments that encompass direct or indirect obligations on water and sanitation, with the exception of the ILO Convention on Occupational Health Services and the ILO Convention on Indigenous and Tribal Peoples.

II. Actions taken

II.1 Steering governance frameworks to deliver equitable access to water and sanitation

II.1.1 Strategic framework for achieving equitable access

The strategic plan for the water and sanitation sector (“Plano Estratégico de Abastecimento de Água e de Saneamento de Águas Residuais” - PEAASAR) was defined by the government and aimed to establish a set of targets to achieve in a given timeframe with the joint contribution of all the authorities involved on water and wastewater services provision. Starting from a base line situation analysis, the strategic plan defined the strategic objectives and some operational ones, the investments to be made, the management models that could be used to provide the services, the environmental values to achieve, the financing models and tariff policies, the private sector participation, the regulatory model and the legal framework.

The established targets have set a standard for all the stakeholders to aim for, which has helped them focus on the most priority actions. Targets for accessibility of the service allowed for a faster progression towards achieving the results:

- Target for water supply service: 95% of the population served with safe drinking water services
This target has been achieved since 2009 and the safe drinking water level is currently around 98% (drinking water complying with EU standards).
- Target for wastewater service: 90% of the population served with adequate treatment of wastewater
Sanitation services have a coverage level of 81% regarding drainage and 78% regarding proper treatment so there is still a significant effort to be made in order to achieve the 90% coverage target. These values consider only public systems and do not take into account the private solutions for treatment, existing especially in rural areas.

Other important principles on equitable access were also defined in the strategic plan (for example, regarding affordability of the services, efficiency, quality of service, among others).

Additionally, some equitable access targets should be defined to ensure, for example, that vulnerable and marginalized groups are positively discriminated in accessing water and sanitation services.

¹ Data for 2006 includes Azores and Madeira. There is an interruption in the series between 2006 and 2011. The concept of “access” (used in “access to safe drinking water”, “access to wastewater drainage” or “access to wastewater treatment”) refers to the percentage of population for whom water and sanitation public services are available. It does not reflect the practical connection to the services. The definition of “adequate treatment” implies that the treatment level must be equal to the treatment level defined in the discharge license. This means that if the license provides for a tertiary treatment level and the actual treatment only allows for a secondary treatment this area is considered as not having “adequate treatment”.

The monitoring of these targets has been made in an annual basis. Every year ERSAR publishes the annual sector report on water and waste services (RASARP) which monitors the country's evolution in terms of service provision, quality of service provided, tariffs and water quality for human consumption. These reports have detailed information on services provision and enable the progress assessment of service provision. A more detailed assessment of the evolution of equitable access to water and sanitation is, however, still lacking, especially on aspects related to the access by vulnerable and marginalized groups.

II.1.2 Sector financial policies

The strategic plan establishes as one of the main principles to have into consideration the principle of cost recovery, together with the one of affordability of services by end-users. This means that the funding of the services should be made primarily through tariffs charged to end-users as a way of enabling the long term sustainability of the service. However, for specific equitable access purposes (for example, access to vulnerable and marginalised groups) there is no specific guidance on how to obtain the necessary funding.

The investments that are needed in order to provide universal, adequate and good quality services have been identified in the strategic plan. However, due to the existence of several operators (around 400), with several business areas (including water services) and, sometimes, poor accountancy practices makes it difficult to keep track of the financial resources that are being invested in these services, so a great effort should be done to improve services accountancy practices.

The criteria for foreign institutions funding eligibility (EU funding and European Investment Bank funding) include as some of the most important the services' sustainability and affordability by users.

II.1.3 Rights and duties of users and other right holders

Information on the rights and duties of the service users is widely available on institutional websites, leaflets, publications, and consumer service centres as well as on the existing legislation. It is observable a growing trend of production of these contents in order to promote quality in consumer services side. However, there is a need to have concerted actions in order to promote the dissemination of information in a simple language and easily understandable by the consumers.

The great majority of the service providers operate at municipal level and there are municipal councils which allow for the participation of every citizen and where these questions can be raised. Also, citizens can send written information requesting more quality of service in terms of access, affordability, efficiency, among other.

The consumer law allows for every user to place a complaint to the operator that will then be addressed to the regulator for analysis. ERSAR then hears both parts (the operator and the user) and issues a recommendation on how the complaint should be treated by the operator. This recommendation, however, is not binding and if any of the parts disagree they should resort to arbitration by judicial institutions. In 2010, ERSAR received and addressed 4200 complaints. In 43% of the complaints, ERSAR ruled in favour of the user and in 44% in favour of the operator. The remaining ones were considered unintelligible or the analysis proved inconclusive.

Alternatively, at local level there are centres for consumer support that have the responsibility to help consumers clarify and obtain a response to their queries or complaints.

Other institutions such as the Ombudsman can also intervene in the complaint handling on issues related to water and sanitation services (40 in 2011), on issues related to the right to a healthy and ecologically balanced environment (27 in 2012).

Transparency of information is one of the most effective mechanisms for accountability. The information on service provision for every operator is available at the annual reports published by ERSAR as well as at ERSAR's website. This information is used by ERSAR to compare operators' performance and to allow for a public scrutiny of each operator. Operators also have duties in the publication of information regarding service regulations, tariffs, water quality and accounts, among others. Nevertheless, other accountability mechanisms such as the reinforcement of the possibility by the regulator of imposing penalties to poorly performing operators could bring a more powerful accountability mechanism.

Also, additional to these accountability mechanisms which are in place for operators, the creation of other accountability mechanisms more directed to the national official institutions would be seen as a step ahead in empowering right-holders, by creating more pressure on the institutions' side.

II.1.4 Incentive framework for water and sanitation service providers

Service contracts have targets for physical access by the populations and, therefore, the level of investment required to serve those areas and the timeline to do those investments. These targets are usually defined as a percentage of a population in a given area. These areas are defined at a level which is lower than the municipality.

The connection fees were, in some cases, an obstacle to the connection of newly served areas to the public networks, due to its high cost. Due to the already significant universalization of these services in the majority of the municipalities, ERSAR has recommended abolishing connection costs, by compensating in terms of revenues through a general increase in the monthly tariffs. This measure would benefit the unconnected population by not having a cost of connection.

Also, the fact that the services are widely universal, especially in urban areas, demonstrates that there is currently no discrimination towards poorer areas. The disparities in terms of service provision are much more related to the fact that the service provision in rural areas poses bigger sustainability issues than the one provided to urban areas given the fact that the per capita investment is much higher in rural areas.

If the conditions of the dwellings are similar, there is also no difference in the level of service provided. However, an empirical analysis allows us to understand that vulnerable and marginalized groups do not have, in many cases, the same conditions in terms of housing or standards of living and therefore the possible disparities in terms of the level of service derive from the fact that there is no positive discrimination on service provision to these groups.

Regarding affordability concerns and possible obstacles on access to water and sanitation by the poorest households, ERSAR evaluates quality of service through a set of indicators, among which there is an affordability indicator. Therefore, every operator has an evaluation depending on the affordability level of its tariffs. Also, ERSAR has issued a set of recommendations which aim to define a tariff structure which addresses possible affordability issues by having lower tariffs that are applicable to poorer households.

II.2 Reducing geographical disparities

As seen before, the targets set in the national strategy for access to drinking water supply have been met in 2009 but the country is still lagging behind in what concerns wastewater drainage and treatment. Furthermore, there are important differences between urban and rural areas: 99% of the population had access to public water supply and 95% to wastewater service in urban areas, whereas in rural areas the figures are 90% and 69% respectively.

II.2.1 Public policies to reduce access disparities between geographical areas

One of the main objectives of the strategic plan is the universalization of service provision. However, this universalization must consider the cost effectiveness of investments. Whereas in urban (and more densely populated) municipalities the investments can be recovered in a short period, in rural areas there should be a thorough analysis of the best solutions to provide these services, especially to isolated populations. In fact, in many of these cases it is not feasible to have a big investment to bring public services to these populations and a local solution may be required. In any case, the targets established at the strategic plan have this into consideration and that is why universal coverage considers that 5% of the population should be served by local water supply solutions and 10% of the population should be served by local wastewater treatment solutions.

Regarding informal settlements and slums, the strategic plan does not have dispositions about service provision to these areas and there is no available data about informal settlements and slums at a national level. However, usually these services are provided at municipal level and at that level there is sometimes a policy for an integrated social approach, which includes housing, welfare, an appropriate standard of living, essential services (including water services). This issue will be addressed in II.3.

There is no national policy to support the implementation of appropriate technical solutions for service delivery in rural, informal settlements and slums or self-provision of services by households in areas where there is no service provider, although at local level some policies exist.

II.2.2 Public policies to reduce price disparities between geographical areas

ERSAR collects information related to prices of water supply and sanitation services annually and compares those prices with each other, publicising this information on ERSAR's website so that every stakeholder can have access to this information. Since 2011, ERSAR also collects information about costs of each of the more than 300 operators as part of the economic regulation cycle and integrated as an indicator to evaluate quality of service. This cycle also includes an affordability indicator. Furthermore, ERSAR has issued in 2009 and 2010 two recommendations that aim to provide reference tariff structures and to harmonise the disparities in prices throughout the country. Since then, the operators have tried to adopt those recommendations by adapting their tariffs to the recommended structure and values.

Concerning public subsidies, the tenders for applications have some criteria for evaluation which include the expected increase in efficiency, the additional population served, the environmental outcomes, impact on the expected tariff in terms of affordability, among others. Finally, the sector is organized in a way that allows for the same operator to serve several municipalities enabling not only scale economies but also the cross-subsidisation between areas with lower costs to areas with higher costs. This is especially true for the bulk services, although there is a growing trend for aggregation in retail services.

II.2.3 Geographical allocation of external support for the sector

Portugal benefits from European Union funding through the Cohesion Fund and the European Regional Development Fund. The criteria for access to these services discriminates positively the poorest areas (which usually are coincident with the regions that are lagging behind in terms of access to services). The national framework for EU funding (QREN) also gives priority to funding of lower scale solutions. This is, however, a general disposition for these funds, since they cover several sectors of the economy. There is no other source of international financial support directed to these services. In the definition of the strategic plan (PEAASAR) and in the creation of multi-municipal companies there have been intents to address the accessibility problems found in previous versions of the plan.

II.3 Ensuring access for vulnerable and marginalized groups

In Portugal, the concept of vulnerable and marginalized groups is not used in the water sector, but in the field of social policy the Portuguese Social Security Services use two criteria to characterize these groups:

- Economic need (due to an unexpected event or a permanent need);
- Priority groups – families with children at risk; elderly people at risk; victims of domestic violence; dependent people; drug addicts; people infected with HIV and/or AIDS; persons/families identified by other institutions as being at risk.

It was not possible to collect data about levels of access to these services by the poorest fifth (or any other percentile) of the population since there is no cross information on income and access to water at national level. The same lack of information occurred in what concerns the rates of access to the services in specific public facilities and to the public financial resources spent in ensuring access to water and sanitation to vulnerable and marginalized groups.

II.3.1 Public policies to address the needs of vulnerable and marginalised groups

Following the absence of the concept in the water sector, no national level policy was identified to address the issues of vulnerable and marginalized groups. However, some areas of social policy such as the ones focusing on persons with special physical needs, Roma communities and institutionalized persons in prison facilities have included issues of access to water and sanitation in their concerns. Other sectors of social policy are lacking specific and integrated approaches related to the access to water and sanitation by vulnerable and marginalized groups. To a limited extent, there are, in some southern counties, water and sanitation local policies recognizing special and differentiated needs towards Roma people.

There are no specific mechanisms in place to identify and address water and sanitation needs of vulnerable and marginalized groups.

Public budgets do not address water and sanitation needs of vulnerable or marginalized groups per se. However, there are specific programs at national level for social housing (including a specific national strategy aimed at Roma communities) or to support the access to products and adaptation of sanitation equipment to the needs of persons with special physical needs.

Some integrated approaches involving different administrations have been adopted; these approaches will be addressed in II.3.2 and II.3.5.

The responses to the scorecard in this topic were considered to have a low reliability.

II.3.2 Persons with special physical needs

There is no data on levels of access to water and sanitation by persons with special physical needs. There is a legal obligation of ensuring accessibility to at least 10% of adapted sanitation facilities in all buildings with public access. All new housing projects must comply with technical regulations that ensure access to these people progressively until 2014.

On a national level, the System of Support to Products of Autonomy (SAPA) is aimed at funding the access by persons with special physical needs to specific products related to their needs, including products related to water and sanitation access (adapted showers, bars for toilet support, etc.), among others. The SAPA is jointly managed by the Ministries of Health, Education and Social Security. However, we could not assess the impact of this measure.

II.3.3 Users of institutional facilities and institutionalised people

There's no aggregated data available on the access of these users, but no problems were identified in what concerns youth detentions centres for and retirement homes. There is a legal framework for enforcing access to these services in schools, health, prison facilities and, in general, to all public buildings. One bad practice was recently abolished (the use of sanitation buckets in prisons). The funding for investments comes from public budgets, but there is no specificity.

All public institutions have a complaints book, as well as their proper complaint mechanisms.

Technical standards guarantee that institutional facilities have separate toilets for male and females as well as adequate facilities for menstrual hygiene management but there are no direct or indirect means to verify the compliance with these rules.

II.3.4 Persons without a fixed residence

There is no data about homeless people at the national level. The Support Office for Roma Communities of the ACIDI reported in 2009 that 4200 families of this community had no fixed residence and lived scattered around the country, mostly in tents without access to basic water and sanitation infrastructure. Several municipalities failed to answer the survey on the basis of the aforementioned report, so the real figures are probably higher.

There is a National Plan for Homeless People, but there are no specific provisions concerning access to water and sanitation. The new National Strategy for Roma communities (recently approved by the government) outlines housing and education policies heavily funded by European funds, with a specific goal of upgrading the access to water and sanitation of these communities.

Some municipalities, such as Lisbon, provide for free showers and sanitation facilities regarding homeless people and others with special needs. All these policies are supported by public funding.

II.3.5 Persons living in housing without water and sanitation

It is not possible to cross the available data about access to water and sanitation networks with the data concerning household income and vulnerable and marginalized groups. However, the national statistics about housing facilities equipped with water and sanitation (water, toilet and bathtub or shower) state that 98% are well equipped. About 0,18% totally lack water and sanitation equipment (7000 houses nationwide). Additionally, a survey from 2009 estimated that about 6400 Roma people lived without proper housing, water and sanitation conditions, although the figures are probably higher since several municipalities failed to answer this survey.

The existing policy makes provision for the right of connection to water and sanitation services if the network is available.

Some municipalities have specific social housing programs design to demolish or reform the neighbourhoods without access and move these groups to newly built council houses, with full access to water and sanitation. However, it was impossible to collect nationwide data about these initiatives. Some municipalities refuse to build water and sanitation networks for households/neighbourhoods of Roma communities close to neighbourhoods with access in order to prevent the permanent settlement of these communities. This question is being addressed at national level with the new National Strategy for Roma communities (recently approved by the government) outlines housing and education policies heavily funded by European funds.

II.3.6 Persons without access to water and sanitation in their workplaces

The Portuguese general law for work organization, the regulations for health, hygiene and safety at work places and the technical rules regarding shops, offices and services give a comprehensive and adequate legal framework. During 2012, the Authority for Working Conditions performed 37398 safety and health visits to work places involving 231.624 workers. The Authority issued 11 notices of

infraction of provisions of laws or regulations conducing to penalty fees and 717 notifications to employers to enforce measures that guarantee access to drinking water supply and sanitation to workers. In this respect, water and sanitation issues are seen as not problematic.

However, the ACT acknowledges some difficulties in reaching the black and informal economy where issues of lack of access to water and sanitation are likely to appear.

II.4 Keeping water and sanitation affordable for all

The national water and sanitation strategic plan embraces affordability as one of the pillars of the strategy. The Portuguese Water and Waste Services Regulation Authority performs annual assessments of macro affordability using the following reference parameters: Good service quality [0%; 0,50%]; Acceptable service quality]0,50%; 1,00%]; unsatisfactory service quality]1,00%; +∞[. These reference parameters are at a lower level than the common definition of affordability, which is usually fixed at 3% of the household budget.

In 2011, the average water and sanitation bill was 185,95€/year but with huge differences between operators. If the recommended social tariff where to be fully adopted by every operator, the average water and sanitation bill for the poorest families would be reduced to 120,95€/year.

II.4.1 Public policies to ensure affordability

The preliminary data for 2011 shows that charges to consumers with water and sanitation services represent on average less than 0,7% of the annual disposable income (consumption of 120 m³/year). This means that, on average, affordability is not a problem in Portugal. ERSAR also performs a micro affordability sensitivity analysis. This analysis includes a calculation, per municipality, of the percentage of the disposable income used by those earning the minimum wage to pay for water services.

Social concerns regarding affordability of water and sanitation services are closely related to tariff policy. According to a recent study made by ERSAR, nearly one half of the operators (municipalities) had some kind of social support to certain groups of consumers in 2011, and the majority of these had as main criterion for eligibility the income of the household, among others. The number of beneficiaries of social tariffs is estimated to be around 45.000 and the per capita subsidy is estimated to be around 62€/year, or a total of 2,8 million EUR. However, this is not the only source of subsidisation.

There's no national policy to ensure affordability to people without access to the public water and sanitation services.

Concerning public funding to address affordability concerns, at national level the eligibility criterion for accessing EU funding includes affordability concerns aiming to reduce the end-user tariffs by financing investments. At local level, there is subsidisation in a large number of municipalities, namely through low tariffs or specific social tariffs defined for the poorest, as we have seen. The amount needed to subsidise these tariffs comes mainly from local public budgets or from cross-subsidization between users through tariffs.

II.4.2 Tariff measures

There have been several studies on how to structure social support to address affordability issues, either through social tariffs, cross subsidisation between users (e.g. domestic and non-domestic users), cross subsidisation between richer and poorer regions, among others.

ERSAR's recommendations on tariffs are part of an integrated approach to provide more rationality to the tariffs charged for these services and have several dispositions that aim to address not only affordability at a macro level (on average) but the affordability of these services for the poorest, as stated before. Regarding the practical application of these recommendations, several municipalities

already apply a social tariff (nearly half of them) and many of them have tried to adapt their tariff structures to those recommended by ERSAR. The growing application of these recommendations will reduce the number of municipalities in Portugal that adopt low prices for these services in order to improve consumers' affordability. ERSAR is trying to abolish this practice because it poses real problems in terms of sustainability of the service in the long term and does not have a significant impact in the consumers who really need social support.

II.4.3 Social protection measures

There is no national policy regarding preventive or curative social protection measures.

However, in the framework of the Portuguese social protection system, Social Security Services may pay water debts of families or individuals who are in difficult economic situations, during a specific period of time. Individuals or families in situations of proven economic need - per capita income lower than the social pension, updated annually - are entitled to such benefits.

This cash benefits may be granted by means of:

- One-off payment when a temporary economic need is identified;
- Monthly allowances for a maximum of 6 months, when the economic need or the integration path of individuals/families justify it.

Prior to granting this type of grants technical intervention by the social security services is mandatory, to collect the necessary information to complete a social diagnosis and the study of the economic situation of the individual/family. These measures are not included in the national strategy for the sector.

There are some ad hoc social protection measures implemented at municipal level which aim to address not only affordability issues to access water and sanitation but to address a proper standard of living for the poorest families.

In Lisbon, the local drinking water operator (EPAL) is running a project since October 2012 together with 43 of the 53 parishes (boroughs) aimed at relieving the poorest households of the service quota (fixed tariff) for 18 months. The project now covers 6.800 households. The allocation of this support is based on a selection performed by the local parishes and it accounts for a 73,80€ saving in the water bill per household (4,10€/month).

III. Critical assessment of the scorecard and propositions for improving it

The scorecard is very complete and detailed on all aspects of related to equitable access to water and sanitation. However, it is still very long and demands a lot of time and information to be fulfilled. The scorecard could be clearer and lighter in some parts.

In this respect, the table on “International obligations on water and sanitation” could be suppressed from the scorecard. It was almost impossible to identify what has been done to translate the international commitments into the national legislation. Also, this type of information remains unchanged over large periods of time (decades) and it is very hard to relate it to any part of the scorecard.

The connexion between Area 3.3 and the Annex can be improved. On the one hand, Area 3.3 encompasses many different realities and that makes the scoring a difficult task. On the other hand, the Annex has exactly the same questions as 3.3, which leads to an unnecessary duplication. We think that the Annex could be suppressed and Area 3.3 split in 4 Areas, taking into account the different areas of policy: education (kindergartens and schools); health; social security (retirement homes), justice and internal affairs (prisons and refugee camps). This option should allow for comprehensive answers and to concentrate the relevant information in only one place. It also makes the filling of the scorecard by different stakeholders an easier task.

The Glossary could include a clear definition of what is access to water and sanitation. In the Portuguese exercise we referred to the percentage of population for whom water and sanitation public services are available. The concept does not reflect the practical connection to the services.

The glossary could also include a description of relevant documents to look for when asking for data (for instance: legal documents, reports, surveys, handbooks, recommendations, etc.). Knowing this beforehand could be useful because when the scorecard asks for “data” it is not clear if it’s only quantitative data or also qualitative data and information.

The Scoring methodology could benefit from a clear understanding of what is meant by *No / To a little extent / To a large extent / Yes*. For the purposes of the Portuguese exercise, the answers were given according to the following criteria, considering the available data at national and/or local level:

- No – No data, national or local;
- To a little extent – No national data and some local data OR some national data, but not satisfying or merely indirect data;
- To a large extent – Some national data, regardless of the availability of local data;
- Yes – Data at national level is fully satisfying.

Specific questions:

1.3.3 – The expression “participate in decisions” could be improved to “participate in the decision making process” or “be consulted in decisions”. It is difficult to envisage how right-holders would “participate in decisions”.

4.2.4 – Scoring this question is confusing. We suggest rephrasing to “Tariff measures implemented to address affordability issues contribute to the financial sustainability of service provisions”

3.2.3 – This question seems to overlap question 3.2.5. Consider merging both questions into one.

2. Workshop discussion, critical assessment of the process and recommendations for the follow up of the country process

The workshop in Portugal took place on February 25, in Fundação Calouste Gulbenkian, in Lisbon. Since the Portuguese pilot exercise takes a national approach, The Water and Waste Services Regulation Authority (ERSAR) convened a broad range of national government bodies and local service providers, NGOs and other institutions and personalities with a specific record or insight in addressing the issues of equitable access to join in a discussion about the preliminary results of the scorecard and the country process.

The workshop had approximately 60 persons from 35 organizations. The program of the workshop followed a step-by-step analysis of the scorecard, seeking detailed contributions and commentary from the stakeholders. This target was only partly met, since the interventions came mostly from representatives of government bodies. The relevant contributions were included in the final version of the scorecard. Almost none NGO and Operator's representatives intervened in the debate. The representatives of the Parents Association, of Church Charities ("Misericórdias" and "Cáritas") and of Civil Society organizations leading with prisons, immigrants, Roma and other vulnerable and marginalized groups didn't answer the invitation and were absent of the workshop. In consequence, the workshop was followed by a new call for contributions addressed at all stakeholders and a round of meetings with government bodies in the area of social policies (High Commission for Immigration and Intercultural Dialogue – ACIDI, Institute of Social Security - ISS, Authority for Working Conditions – ACT, .Ministry of Education).

The process of identifying and reaching for stakeholders outside of the water sector was a positive experience for ERSAR. So far, these are the main outcomes of this process to ERSAR:

- A broader understanding of the issues related to the access to water and sanitation in Portugal;
- Raise awareness about these issues among the stakeholders of the water sector and the general public;
- Have a clear notion of the available and lacking information about this topic, of the efforts needed to develop new tools for the collection of data and assessment of the reality (e.g. financial resources allocated to the sector, standards of service in specific facilities, levels of access for vulnerable and marginalized groups) and of the possible improvements in existing laws and regulations;
- A better knowledge of the undergoing initiatives and difficulties met by stakeholders in issues of access to water and sanitation in the field of human rights and of social policy.
- To place ERSAR in a pivotal role in this area;
- Get contributions for the on-going revision of the national strategic plan for the water sector (PEAASAR);
- Find the right partners to develop new initiatives in the area of equitable access to water and sanitation;

The process also brought to light some difficulties in convening the players outside the water sector to debate about these issues. In the end of the process, it became clear that filling the scorecard was a difficult task but the work needed to raise the stakeholder's awareness was also very time consuming since for most of them regarded this issue for the first time.

For the future, some developments in the country process are being considered, namely:

- Set the ground for an informal network of stakeholders from the water sector and from the field of human rights and social policies;
- Carrying out a Recommendation by ERSAR addressed at the operators of drinking water and wastewater management services about good practices in ensuring the human right to water and sanitation, including equitable access;
- The drafting of recommendations/handbooks of good practices in specific areas of social policies related with access to water and sanitation under the umbrella of the relevant government bodies (e.g. access in the workplaces; access in schools and education facilities; access in health facilities; etc.).

3. Practical “roadmap” for future developments in the country process

Events

ERSAR will try to present the main findings of the project in some of the major events of the Portuguese water sector:

- Expo Água 2013 (26-27 November 2013);
- Portuguese Congress of Water Operators - ENEG 2013 (2-6 December 2013);
- Water Congress organized by the Portuguese Association for Water Resources - APRH (February/March 2014);
- IWA World Water Congress Lisbon 2014 (21-26 September 2014).

Press

- Press release on the National Human Rights Day with the main findings of the project, following the meeting of Parties (10 December 2013).

Actions

- Prepare a “policy summary” of less than four pages for *communicating the results to top government officials, local authorities, operators of water utilities, NGOs and all stakeholders identified in the process (September 2013)*;
- Send the final report to all *stakeholders (November 2013)*;
- Hold a second round of meetings with stakeholders in the field of field of human rights and social policies in view of building an informal network to work on the human right to water and sanitation (October 2013 – December 2014);
- Recommendation by ERSAR addressed at the operators of drinking water and wastewater management services about good practices in ensuring the human right to water and sanitation, including equitable access (this work is being developed with IWA with a target completion date of mid-2014);
- Recommendations/handbooks of good practices about the human right to water and sanitation in specific areas of social policies under the umbrella of the relevant government bodies (e.g. access in the workplaces; access in schools and education facilities; access in health facilities; etc.) (2014 – 2015);
- Disseminate the advantages of the scorecard and the importance of monitoring the evolution of the equitable access to water and sanitation among the network of water regulators and in the meeting of regulators to be held at the IWA World Water Congress Lisbon 2014.

Annex

TOOL FOR MONITORING PROGRESS IN ACHIEVING EQUITABLE ACCESS TO WATER AND SANITATION IN THE PAN-EUROPEAN REGION

This is the third draft of a tool currently under development. The aim of the tool is to support countries in the pan-European region to assess and track their progress in achieving equitable access to water and sanitation, in the context of the implementation of the Protocol on Water and Health under the Convention on the Protection and Use of Transboundary Watercourses and International Lakes.

This draft of the tool was tested in **Portugal** in early 2013.

Part 1 and 2 of the score card were initially fulfilled by the Portuguese project team. The information contained in the score was then discussed at the multi-stakeholders workshop, which was held on 25 February 2013, in Lisbon, Portugal. This version reflects the conclusions of the multi-stakeholders workshop discussion.

Table of contents

INTRODUCTION.....	17
Rationale, aim and scope.....	17
Notes for using the tool.....	18
Glossary.....	20
<i>PART 1. COUNTRY or REGION PROFILE: CONTEXT</i>	23
Socio-economic and sector data.....	24
International obligations on water and sanitation.....	27
<i>PART 2. SCORECARD: ACTIONS TAKEN</i>	29
Section 1. Steering governance frameworks to deliver equitable access to water and sanitation.....	30
Area 1.1 Strategic framework for achieving equitable access.....	31
Area 1.2 Sector financial policies.....	33
Area 1.3 Rights and duties of users and other right-holders.....	35
Area 1.4 Incentive framework for water and sanitation service providers.....	37
Section 2. Reducing geographical disparities.....	39
Quantitative information on geographical disparities.....	40
Area 2.1 Public policies to reduce access disparities between geographical areas.....	42
Area 2.2 Public policies to reduce price disparities between geographical areas.....	44
Area 2.3 Geographical allocation of external support for the sector.....	46
Section 3. Ensuring access for vulnerable and marginalized groups.....	47
Quantitative information on vulnerable and marginalised groups.....	48
Area 3.1 Public policies to address the needs of vulnerable and marginalised groups.....	50
Area 3.2 Persons with special physical needs.....	52
Area 3.3 Users of institutional facilities and institutionalised persons.....	54
Area 3.4 Persons without a fixed residence.....	59
Area 3.5 Persons living in housing without water and sanitation.....	61
Area 3.6 Persons without access to water and sanitation in their workplaces.....	64
Section 4. Keeping water and sanitation affordable for all.....	66
Quantitative information on affordability.....	67
Area 4.1 Public policies to ensure affordability.....	69
Area 4.2 Tariff measures.....	71
Area 4.3 Social protection measures.....	73
SUMMARY SHEET.....	75

ANNEX. ACCESS IN SPECIFIC INSTITUTIONAL FACILITIES	76
Area 3.3.A Educational facilities	77
Area 3.3.B Health facilities.....	79
Area 3.3.C Prison facilities	81

INTRODUCTION

Rationale, aim and scope

Access to water and sanitation has been recognised as human rights by the United Nations General Assembly and the Human Rights Council. This means that ensuring access to water and sanitation for all is a legal obligation and that progressive steps have to be taken to fulfil that obligation. In order to comply with this obligation, special attention needs to be paid at an early stage to ensure that access to water and sanitation is equitable for all members of the population.

In the pan-European region, around 110 million people do not have access to safe drinking water and sanitation. The Parties to the UNECE/WHO-EURO Protocol on Water and Health have committed to ensure equitable access to water and sanitation. In 2012, the Working Group on Water and Health launched the publication “No One Left Behind”, which presents policy options and good practices to ensure equitable access to water and sanitation, and agreed to develop a tool for support countries in their efforts to monitor progress. This document presents the third draft² of the tool.

The objective of this tool is to offer governments (and other stakeholders) a tool that would help to establish a baseline, track progress, and prompt discussions on further actions to be taken in order to achieve equitable access to water and sanitation. It aims to support the implementation of policies and practices to uphold the human rights to water and sanitation under the principle of “progressive realization”.

The tool does not aim to provide a fully comprehensive assessment of the extent to which water and sanitation is equitable in a country/region/city. Rather it focuses on selected issues and indicators that together could provide a solid (but not perfect) overview of the situation at different time points, and thus allow the tool to accomplish its specific aim.

Achieving equitable access and keeping access equitable is contingent on a well-functioning water and sanitation sector. The tool, however, will focus only on the issues directly related to equitable access outcomes and not on the overall functioning of the water and sanitation sector. The tool does not focus either on other circumstances that may impinge on access to equitable access and sanitation, such as water resources governance.

² An Ad-Hoc Expert Group on Monitoring Progress in Achieving Equitable Access to Water and Sanitation has been set up to develop the tool. This draft incorporates the comments and contributions discussed at its first meeting in September 2012, as well as comments provided in October 2012 on the second draft.

Notes for using the tool

Background information. Background information on equitable access issues can be found in the UNECE/WHO publication “No One Left Behind”. The introduction to each section in Part II indicates the relevant section in the “No One Left Behind” publication that relates to each Area of Action.

Glossary. This document includes a short glossary to define key concepts used throughout the scorecard. It is worth highlighting two issues:

In this document, the expression “access to water and sanitation” includes four of the five dimensions that define the human rights to water and sanitation: *availability, accessibility, acceptability, and quality/safety*. It does not include *affordability* because that dimension is addressed specifically in section 4 of the scorecard.

This document refers to the expression “equitable access to water and sanitation”, since this is the wording in the Protocol on Water and Health. Some experts favor the expression “equality and non-discrimination”. While there are some differences of connotation, those two expressions can be considered equivalent from a practical perspective.

Structure of the tool. The tool includes a country profile (which focuses on quantitative data to help put in context the results) as well as four sections addressing broad themes. The four thematic sections are further subdivided in areas of action – which focus on the actions taken to improve equitable access. The last three thematic areas also requests quantitative information on outcomes and means.

Quantitative information. To the extent possible, the source of quantitative information should be official statistics. When information on financial resources is requested (and if your country does not use the Euro as official currency), please express the answer both in Euros and in the official currency.

Scoring methodology.

- Progress under each Area of Action is measured through qualitative questions. The number of questions varies between 2 and 6.
- Each question requires one answer. (There are four possible answers: *No / To a little extent / To a large extent / Yes.*)³
- Each answer has to be justified. In order to provide the justification, respondents are encouraged to use as much space as needed.
- The reliability of each answer has to be self-evaluated (see below).
- One summary score has to be calculated for each Area of Action. This score has to be calculated taking into account the score for each question as well as the number of questions under each Area of Action. Only answers with a HIGH or MEDIUM degree of reliability should be considered when calculating the summary score.

³ The answers were given according to the following criteria, considering the data available at national and/or local level:

No – No data, national or local;

To a little extent – No national data and some local data OR some national data, but not satisfying or merely indirect data

To a large extent – Some national data, regardless of the availability of local data

Yes – Data at national level is fully satisfying

- The summary score has to be reproduced in the summary sheet.

Reliability assessment methodology. The tool asks to self-evaluate the reliability associated to each of the answers provided. It is not the reliability of the data that has to be evaluated. Rather, it is the reliability of the process of gathering and reporting the data that has to be evaluated.

- There are three possible levels of reliability: High (Very Reliable), Medium (Reliable), Low (Unreliable).
- The criteria to be considered for assigning a degree of reliability are: procedures, traceability, and validation.
- The table below provides guidance on how to assign a level of reliability, according to those criteria.
- The aggregate level of reliability for each Area of Action will be determined as follows:
 - HIGH – if all the answers in the Area of Action are classified as HIGH
 - MEDIUM – if no answer is classified as LOW and at least one answer is classified as MEDIUM
 - LOW --- if at least one answer is classified as LOW
- The aggregate level of reliability for each Area of Action has to be reproduced in the summary sheet.

HIGH: Very reliable	MEDIUM: Reliable	LOW: Unreliable
<p>There is a coherent and easily accessible set of documents that identifies responsibilities for data gathering, treatment and quality control.</p> <p>The data can be traced to a formal source that is accessible to any interested person.</p> <p>The data have been formally validated.</p>	<p>Responsibilities for data gathering, treatment and quality control have been identified.</p> <p>The data can be traced to a source.</p> <p>The data have been validated.</p>	<p>Responsibilities for data gathering, treatment and quality control have not been identified.</p> <p>Not all the data can be traced to a source.</p> <p>Not all the data have been validated.</p>
<p>Note: The term “data” in this table must be interpreted as any relevant qualitative or quantitative information underpinning the response to a question</p>		

Non-relevant questions. Not all questions within each area of action are equally relevant to all countries/regions in the pan-European region. If those responsible for filling the scorecard part consider that a particular question is not relevant, they are encouraged to justify why that is the case.

Summary sheet. The summary scores for the 15 areas of action are presented in a summary sheet at the end of the document. The summary sheet can help to identify the areas of action where the country (or region) is lagging behind, as well as areas where the information available is particularly unreliable.

Annex. In order to support the assessment of Area of Action 3.3 (which refers to several types of institutional facilities, which are in turn overseen by different government departments), the Annex provides separate sheets to assess the situation in educational facilities, health facilities, and prison

facilities. How to use the results of those separate sheets to derive an overall assessment of Area of Action 3.3 is at the discretion of the scorecard coordinator.

Use of results. The tool has been designed to help a country (or region) to track its own progress towards equitable access. The tool has not been designed to establish comparisons between countries (or regions), as the pan-European region includes countries (or regions) with very different levels of socio-economic development and organization of the water and sanitation sector. Analysts wishing to establish those comparisons are encouraged to use the context data offered in the Country/Region Profile in order to identify suitable countries/regions peers for comparison.

Presentation of results. Testing countries/regions are encouraged to present the results in visually appealing ways (such as spider-net graphs).

Glossary

Accountability. In a human rights context, accountability encompasses monitoring mechanisms and remedies. For the rights to water and to sanitation to be realized, service providers and public officials must be accountable to users. Promoting accountability involves, inter alia, developing effective monitoring bodies and processes; devising sound indicators for assessing progress, affordability, and the fair and equitable distribution of water and sanitation resources according to the needs; creating reliable, accessible and effective judicial and administrative complaints mechanisms that allow individuals to air and satisfactorily redress their grievances; and promoting good governance.

Affordability. Access to sanitation and water facilities and services must be accessible at a price that is affordable for all people. Paying for services, including construction, cleaning, emptying and maintenance of facilities, as well as treatment and disposal of faecal matter, must not limit people's capacity to acquire other basic goods and services, including food, housing, health and education guaranteed by other human rights. Accordingly, affordability can be estimated by considering the financial means that have to be reserved for the fulfilment of other basic needs and purposes and the means that are available to pay for water and sanitation services.

Development partners. In a development co-operation context, it refers to the range of partners that support a government from a transition or developing country to design and implement its development agenda. Those partners include bilateral development co-operation agencies (e.g. the Swedish International Development Agency), international financial institutions (e.g. the World Bank), international technical co-operation institutions (e.g. UNECE) and international non-governmental organizations (e.g. Global Water Partnership).

Drinking water. Water which is used, or intended to be available for use, by humans for drinking, cooking, food preparation, personal hygiene or similar purposes.

Equitable access to water and sanitation. In the context of this document, it refers to a situation defined by access outcomes that are similar for all people irrespective of where they live, whether they belong to vulnerable or marginalized groups, while their associated costs remain affordable for all users.

GDP. It stands for Gross Domestic Product. It represents an indicator of the size of an economy measured through the value of the goods and services produced.

Institutionalised persons. It refers to those people that are in prison, whether they have received a final sentence or not.

Lowest quintile, lowest decile. The distribution of income or wealth in a country is usually analysed by dividing the population in five or ten groups according to their level of income or wealth. When

the number of groups is five each group represents a “quintile”; when the number of groups is ten, each group represents a “decile”. The “lowest quintile” refers to the group with the lowest income or wealth, when society is divided in five groups. The “lowest decile” refers to the group with the lowest income or wealth, when society is divided in ten groups.

Non-discrimination. Non-discrimination is central to human rights. Discrimination on prohibited grounds including race, colour, sex, age, language, religion, political or other opinion, national or social origin, property, birth, physical or mental disability, health status or any other civil, political, social or other status must be avoided, both in law and in practice.

Peri-urban areas. Areas that are adjoining to urban areas, located between the suburbs and the countryside.

Poverty line. Value that indicates the minimum level of income of an individual that is considered adequate. Official poverty lines definitions and values vary from country to country.

Progressive realization. States must take measures towards the progressive realization of the rights to water and sanitation. This requires concrete and targeted steps to the maximum of their available resources. States are required to move towards the goal of full realization as expeditiously and effectively as possible, within the framework of international cooperation and assistance, where needed. Certain aspects of these rights are immediate obligations, including the requirement to guarantee them without discrimination.

Progressive tariff systems. It refers to tariff systems where the tariff per cubic meter increases with volume consumed – it is usually articulated by defining three or more blocks of water consumption and applying a different tariff to each block.

Public financial resources. Financial resources supplied by governments (whether national, regional or local). The origin of the funds is mostly general taxation (e.g. income or VAT tax) but also includes other sources, such as the provision of services by government departments (e.g. licensing charges) and borrowing (e.g. issuing government bonds).

Remedial actions. In this document, actions taken to correct a situation where the human rights to water and sanitation were not respected. Victims of human rights violations are entitled to adequate reparation, including restitution, compensation, satisfaction and/or guarantees of non-repetition. States have to provide accessible, affordable, timely and effective remedies. While administrative remedies will be adequate in many cases, a right of judicial appeal as a last resort is often appropriate and sometimes indispensable.

Right-holders. In the context of the human rights to water and sanitation, it refers to every person. The difference with “water and sanitation users” is that some people do not have access to water and sanitation, and thus they cannot be considered users, but they are right-holders because they hold the right to get access.

Safe drinking water. Safe drinking water is water with microbial, chemical and physical characteristics that meet WHO guidelines or national standards on drinking water quality.

Sanitation means the collection, transport, treatment and disposal or reuse of human excreta or domestic waste water, whether through collective systems or by installations serving a single household or undertaking. States must ensure without discrimination that everyone has physical and economic access to sanitation, in all spheres of life, which is safe, hygienic, secure, socially and culturally acceptable, provides privacy and ensures dignity. Depending on the culture, acceptability can often require privacy, as well as separate facilities for women and men in public places, and for girls and boys in schools. Facilities will need to accommodate common hygiene practices in specific cultures, such as for anal and genital cleansing. And women’s toilets need to accommodate menstruation needs.

Self-service. Situation in which households provide themselves the service for water and sanitation, often because they live in areas where there is no service provider.

Service providers. Public or private institution that operate water supply and/or sanitation systems.

Social tariffs. Tariffs that include a discount for certain individuals or households due to their social characteristics (such as age, certified disability, or number of persons in the household)

Tariff reference values. In some countries, central authorities overseeing the water and sanitation sector have published “tariff reference values” to provide a reference on what is the expected level that water and sanitation tariffs should reach. They provide useful information to customers as well as to water and sanitation service providers, without infringing in the allocation of tariff-setting responsibilities (which usually remains at the local level).

Vulnerable and marginalized groups. Groups composed of individuals that have a particularly hard time exercising their rights to water and sanitation as a result of living in vulnerable situations, or suffering discrimination or stigma (or a combination of those factors). Groups and individuals who have been identified as potentially vulnerable or marginalized include, inter alia, women, children, inhabitants of (remote) rural and deprived urban areas as well as other people living in poverty, refugees and internally displaced persons, minority groups, indigenous groups, nomadic and traveller communities, elderly people, persons living with disabilities, persons living with HIV/AIDS or affected by other health conditions, people living in water scarce-regions and sanitation workers amongst others. In the process of identifying groups and individuals who are disadvantaged, States need to survey the population based on these grounds and investigate further when they find that certain groups are discriminated against. In the context of this document, vulnerable and marginalised groups include (among others) the homeless, nomads, the disabled, school children, hospitalized patients, people living in prisons and refugee camps, and people without secure tenure. While gender issues related to access to water and sanitation must be taken into consideration to ensure equitable access, this document does not treat women as a vulnerable or marginalized group on its own.

PART 1. COUNTRY or REGION PROFILE: CONTEXT

Socio-economic and sector data			
	2011 or latest available year (please indicate)	2006 (please choose another baseline year if it fits better with your national/regional processes)	Source (please use official statistics wherever possible)
Population (inhabitants)	10 047 621*	9 869 343 (2001)*	Statistics Portugal (Official source)
Extension (km²)	89 088,9*	88 967,1*	Statistics Portugal(Official source)
GDP per capita (EUR/person)	16194	15532 (population 2001)	Statistics Portugal (Official source)
% of population below national poverty line	18,0 (2010)	24,2	Statistics Portugal (Poverty risk percentage – after transfers) (Official source)
% of population living in urban areas	47,5%	46,0	Statistics Portugal (Percentage of population living in places above 5000 inhabitants) (Official source)
% of population living in peri-urban areas (ONLY if this category is relevant in your country/region)			Not relevant
% of population living in rural areas	39,1%	41,9%	Statistics Portugal (Percentage of population living in places with less than 2000 inhabitants) (Official source)
Renewable freshwater resources (million m³ per capita)	75000 (aprox)	N.A.	River Basin Management Plans (Official source)
% of population <u>without</u> access to safe drinking water	5%*	9% ⁺	2011 -ERSAR (preliminary statistics) – Physical accessibility of water supply service (Official source); 2006 – National Inventory for Water and Sanitation Services (INSAAR, INAG) – “Population covered with water services” (Official source).

			Furthermore, the scorecard should separate the access to water and wastewater services from the access to safe drinking water.
% of population <u>without</u> access to wastewater collection	19%*	23% ⁺	2011 -ERSAR (preliminary statistics) – Physical accessibility of wastewater service (drainage) (Official source); 2006 – National Inventory for Water and Sanitation Services (INSAAR, INAG) – “Population covered with sanitation services (drainage)” (Official source)
% of population <u>without</u> access to wastewater treatment (any level)	22%* [#]	28% ⁺	2011 -ERSAR (preliminary statistics) – Adequate destination of wastewater collected (Official source); 2006 – National Inventory for Water and Sanitation Services (INSAAR, INAG) – “Population covered with sanitation services (treatment)” (Official source)
Public financial resources <u>spent</u> on the water and sanitation sector	N.A.	N.A.	The information available only allows having a partial view of the resources spent.
Public financial resources <u>spent</u> in ensuring equitable access to water and sanitation	N.A.	N.A.	

* - Data for Mainland Portugal

⁺ - Series interruption

[#] - This number presents the percentage of population without access to adequate treatment of wastewater. The definition of “adequate treatment” implies that the treatment level must be equal to the treatment level defined in the discharge license. This means that if the license provides for a

tertiary treatment level and the actual treatment only allows for a secondary treatment this area is considered as not having “adequate treatment”.

*+[#] - The concept of “access” (used in “access to safe drinking water”, “access to wastewater drainage” or “access to wastewater treatment) refers to the percentage of population for whom water and sanitation public services are available. It does not reflect the practical connection to the services.

N.A. – Non available.

International obligations on water and sanitation

The international legal instruments listed below generate obligations on water and sanitation ⁴	Has the country signed this legal instrument?		What has been done to translate these international commitments into your national legislation?	Sources (and year)
	Yes	No		
Protocol on Water and Health	x			Decree no. 20/2006, of 4 August, 2006
1949 Geneva Convention (III) relative to the Treatment of Prisoners of War	x			
1949 Geneva Convention (IV) relative to the Protection of Civilian Persons in Time of War	x			
1977 Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts (Protocol I)	x			
1977 Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II)	x			
1966 International Covenant on Civil and Political Rights (ICCPR)	X			
1979 Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)	X			
ILO Convention No. 161 of 1985 on Occupational Health Services		X		

⁴ More information is available at www.waterlex.org/waterlex/en/resources/online-legal-database and the supporting document “International Obligations on Water and Sanitation”

1989 Convention on the Rights of the Child (CRC)	X			
2007 Convention on the Rights of Persons with Disabilities (CRPD)	X			
1966 International Covenant on Economic, Social and Cultural Rights (ICESCR)	X			
1989 ILO Convention No. 169 on Indigenous and Tribal Peoples		X		
1992 United Nations Framework Convention of Climate Change (UNFCCC)	X			Decree no. 20/93, of 21 June, 1993
1994 Convention to Combat Desertification in Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa (UNCCD)	X			Decree no. 41/95 of 14 December, 1995
1997 Convention on the Law of the Non-Navigational Uses of International Watercourses	X			Resolution no. 9/2005 of 3 March, 2005

PART 2. SCORECARD: ACTIONS TAKEN

Section 1. Steering governance frameworks to deliver equitable access to water and sanitation

Areas of action	Relevant section in the “No One Left Behind” document
1.1 There is a strategic framework for achieving equitable access to water and sanitation	Section 3.1 Section 3.4
1.2 Sector financial policies contribute to achieving and maintaining equitable access	Section 3.1 Section 2.3
1.3 Users and right-holders can exercise their rights and are aware of their duties	Section 3.2
1.4 The incentive framework for water and sanitation service providers includes equitable access considerations	Section 3.3

Area 1.1 Strategic framework for achieving equitable access

Rationale. Although progress is achieved through individual initiatives, a strategic framework is needed to ensure that the whole water and sanitation sector (and the whole public administration more generally) contributes to achieving equitable access.

	No	To a limited extent	To a large extent	Yes
1.1.1 There is a strategic plan in place to ensure equitable access to water and sanitation				x

Score justification (please provide brief explanation and/or examples that justify the answer)

The strategic plan for the water and sanitation sector (“Plano Estratégico de Abastecimento de Água e de Saneamento de Águas Residuais” - PEAASAR) was defined by the government and aimed to establish a set of targets to achieve in a given timeframe with the joint contribution of all the authorities involved on water and wastewater services provision. Based on the reference situation, the strategic plan defined: the strategic objectives and some operational ones, the investments to be made, the management models that could be used to provide the services, the environmental values to achieve, the financing models and tariff policies, the private sector participation, the regulatory model and the legal framework.

Strategic plans in social policy matters generally do not address issues of equitable access to water and sanitation.

Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion)

Official document available here: www.maotdr.gov.pt/Admin/Files/Documents/PEAASAR.pdf.

Reliability of the response: (i.e. high, medium, or low-level of confidence)

High

1.1.2 Equitable access targets have been set			X	
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Score justification (please provide brief explanation and/or examples that justify the answer)

The targets established have set a standard for all the stakeholders to aim for, which has helped them to focus on the most priority actions. Targets for accessibility of the service allowed for a faster progression towards achieving the results, whereas important principles on equitable access were defined (for example, regarding affordability of the services, efficiency, quality of service, among others).

Target for water supply service: 95% of the population served with safe drinking water services

Target for wastewater service: 90% of the population served with adequate treatment of wastewater

Some additional equitable access targets should be defined to ensure, for example, that vulnerable and marginalised groups are positively discriminated in accessing water and sanitation services.

Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion)

Official document available here: www.maotdr.gov.pt/Admin/Files/Documents/PEAASAR.pdf.

Reliability of the response: (i.e. high, medium, or low-level of confidence)

High

1.1.3 Responsibilities for achieving equitable access have been identified and allocated			x	
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Score justification (please provide brief explanation and/or examples that justify the answer)

The strategic plan established the responsibilities of several institutions on implementing the targets, on its monitoring and evaluation. However, some additional equitable access targets should be defined to ensure, for example, that vulnerable and marginalised groups are positively discriminated in accessing water and sanitation services together with the identification of the authorities responsible for addressing those problems.

Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion)

Official document available here: www.maotdr.gov.pt/Admin/Files/Documents/PEAASAR.pdf.

Reliability of the response: (i.e. high, medium, or low-level of confidence)

High

1.1.4 Awareness-raising and capacity-development initiatives for achieving equitable access have been developed		x		
<p>Score justification (please provide brief explanation and/or examples that justify the answer) Some campaigns have been developed to raise awareness to users' rights and duties, however, a comprehensive approach is still lacking.</p> <p>Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion) Official documents ("Rights and duties of consumers"), expert opinion, case studies collected</p> <p>Reliability of the response: (i.e. high, medium, or low-level of confidence) Low</p>				
1.1.5 There are mechanisms in place to enable discussion and coordination by competent authorities		x		
<p>Score justification (please provide brief explanation and/or examples that justify the answer) ERSAR, as the water services regulation authority, has responsibilities on the monitoring of the implementation of the strategic plan. One of the structures connected to ERSAR is the Advisory Council which is composed of the several stakeholders within the water sector (public sector institutions, operators, municipalities, sector associations, consumer associations, industry associations, environmental associations, independent experts, among others) and which aims to discuss the strategy of regulation and to advise on how to address specific problems of the sector. Also, the National Commission for the Human Rights involves the governmental institutions responsible for the areas related to a diversity of human rights and aims to define strategies for the adequate discussion of the implementation of those rights. In practical terms, however, the mechanisms linked with service provision and those linked with human rights should aim for a close interaction in order to have a concerted action towards a more effective implementation of equitable access to water and sanitation.</p> <p>Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion) Official documents (ERSAR's statutes: http://www.ersar.pt/CMS_BackOffice/ResourceLink.aspx?ResourceName=DL277_2009)</p> <p>Reliability of the response: (i.e. high, medium, or low-level of confidence) High</p>				
1.1.6 The country/region/city has assessed the equity of access to water and sanitation			x	
<p>Score justification (please provide brief explanation and/or examples that justify the answer) Every year ERSAR publishes the annual sector report on water and waste services (RASARP) which monitors the country's evolution in terms of service provision, quality of service provided, tariffs and water quality for human consumption. These reports have detailed information on services provision and enable the progress assessment of service provision. A more detailed assessment of the evolution of equitable access to water and sanitation is, however, still lacking.</p> <p>Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion) Official documents: http://www.ersar.pt/website/ViewContent.aspx?FolderPath=&SubFolderPath=%5CRoot%5CContents%5CSitio%5CMenuPrincipal%5CDocumentacao%5CPublicacoesIRAR&BookCategoryID=1&BookTypeID=3&Section=</p> <p>Reliability of the response: (i.e. high, medium, or low-level of confidence) High</p>				
<p>Please calculate the score for Area 1.1</p> <p>1. Add the points obtained (Yes = 3, To a large extent = 2, To a limited extent = 1, No = 0) <u>11</u></p> <p>2. Divide the number of total points by 6 <u>1.8</u></p>				
<p>Given the number of High, Medium and Low responses, the average reliability for this area is considered (please mark one option) High <u>X</u> Medium <u> </u> Low <u> </u></p>				

Area 1.2 Sector financial policies

Rationale. Financial resources will have to be spent to implement the initiatives needed to achieve the equitable access targets. At the same time, the overall policies steering sector revenue and expenditures may have large positive and negative impacts on achieving equitable access. In some countries, sector financing is dependent to a large extent on development partner support and there is scope to increase the contribution of this support to achieving equitable access.

	No	To a limited extent	To a large extent	Yes
1.2.1 The financial resources needed to achieve equitable access to water and sanitation have been identified			x	
<p>Score justification (please provide brief explanation and/or examples that justify the answer) The strategic plans for the sector have identified the necessary investments that are needed in order to provide universal, adequate and good quality services. However, due to the existence of several operators (around 400), with several business areas (including water services) and, sometimes, poor accountancy practices makes it difficult to keep track of the financial resources that are being invested in these services.</p> <p>Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion) Official document available here: www.maotdr.gov.pt/Admin/Files/Documents/PEAASAR.pdf</p> <p>Reliability of the response: (i.e. high, medium, or low-level of confidence) Medium</p>				
1.2.2 The sources of funding to achieve equitable access to water and sanitation have been identified		x		
<p>Score justification (please provide brief explanation and/or examples that justify the answer) The strategic plan establishes as one of the main principles to have into consideration the principle of cost recovery. This means that the funding of the services should be made primarily through tariffs charged to end-users as a way of enabling the long term sustainability of the service. However, for specific equitable access purposes (for example, access to vulnerable and marginalised groups) there is no specific guidance on how to obtain the necessary funding.</p> <p>Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion) Official document available here: www.maotdr.gov.pt/Admin/Files/Documents/PEAASAR.pdf</p> <p>Reliability of the response: (i.e. high, medium, or low-level of confidence) Medium</p>				
1.2.3 Financing strategies for the water and sanitation sector take equity issues into account			x	
<p>Score justification (please provide brief explanation and/or examples that justify the answer) As stated above, the strategies for financing specific equity issues are established in the strategic plan, through basic principles for action: the principle of cost recovery, the principle of affordability of tariffs, among others.</p> <p>However, a more detailed strategy regarding who finances specific equitable access purposes (for example, access to vulnerable and marginalised groups) is still lacking.</p> <p>Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion) Official document available here: www.maotdr.gov.pt/Admin/Files/Documents/PEAASAR.pdf</p> <p>Reliability of the response: (i.e. high, medium, or low-level of confidence) Medium</p>				

1.2.4 The national/regional/city government monitors and publicly reports financial resource allocation		x		
<p>Score justification (please provide brief explanation and/or examples that justify the answer) In Portugal, there are accounts for every water operator and these must be publicly available. However, these accounts are sometimes poorly defined since several of these operators, provide several services and do not have separate accounts for each of them. For that reason, in some cases this information is very difficult to assess, so a great effort should be done to improve services accountancy practices.</p> <p>Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion) Expert opinion; ERSAR's information collection processes</p> <p>Reliability of the response: (i.e. high, medium, or low-level of confidence) High</p>				
1.2.5 International financial support for the water and sanitation sector takes equity issues into account			x	
<p>Score justification (please provide brief explanation and/or examples that justify the answer) Services' sustainability and affordability by users is one of the main criteria for international funding of water services (for example, by the European Investment Bank and by the Portuguese EU funding management authority –QREN). Therefore, a special attention is given to equity issues when international financial support is considered.</p> <p>Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion) Expert opinion</p> <p>Reliability of the response: (i.e. high, medium, or low-level of confidence) Low</p>				
<p>Please calculate the score for Area 1.2</p> <ol style="list-style-type: none"> 1. Add the points obtained (Yes = 3, To a large extent = 2, To a limited extent = 1, No = 0) <u>8</u> 2. Divide the number of total points by 5 <u>1,6</u> 				
<p>Given the number of High, Medium and Low responses, the average reliability for this area is considered (please mark one option) High <u> </u> Medium <u>x</u> Low <u> </u></p>				

Area 1.3 Rights and duties of users and other right-holders

Rationale. Water and sanitation users and right-holders should not be considered merely the beneficiaries of access to water and sanitation. They have roles to play in demanding, shaping, and maintaining equitable access to water and sanitation.

	No	To a limited extent	To a large extent	Yes
1.3.1 There are mechanisms in place to ensure that right-holders are aware of their rights (and the options for exercising them) as well as their obligations				X

Score justification (please provide brief explanation and/or examples that justify the answer)
Information on the rights and duties of the service users is widely available on institutional websites, leaflets, publications, consumer service centres as well as available on the existing legislation. It is observable a growing trend of production of these contents in order to promote quality in consumer services side.

Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion)
Official documents (“Rights and duties of consumers”), expert opinion, case studies collected.

Reliability of the response: (i.e. high, medium, or low-level of confidence)
Medium

1.3.2 There are mechanisms in place to allow right-holders to access relevant information				X
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Score justification (please provide brief explanation and/or examples that justify the answer)
Information is available in several formats (online, exposure in a public place, among others) and operators are obliged to make that information public. However, there is a need to have concerted actions in order to promote the dissemination of information in a simple language and easily understandable by the consumers.

Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion)
Official documents (“Rights and duties of consumers”), expert opinion, case studies collected.

Reliability of the response: (i.e. high, medium, or low-level of confidence)
Medium

1.3.3 There are mechanisms in place to allow right-holders to participate in decisions concerning the level and quality of access that they receive				X
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Score justification (please provide brief explanation and/or examples that justify the answer)
The great majority of the service providers operate at municipal level and there are municipal councils which allow for the participation of every citizen and where these questions can be raised. Also, citizens can send written information requesting more quality of service in terms of access, affordability, efficiency, among other.

Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion)
Official documents (Number of complaints treated by the regulator available at the annual reports: <http://www.ersar.pt/website/ViewContent.aspx?FolderPath=&SubFolderPath=%5CRoot%5CContents%5CSitio%5CMenuPrincipal%5CDocumentacao%5CPublicacoesIRAR&BookCategoryID=1&BookTypeID=3&Section=>

Reliability of the response: (i.e. high, medium, or low-level of confidence)
High

1.3.4 There are mechanisms in place to allow right-holders to seek, redress and enforce remedial actions				x
<p>Score justification (please provide brief explanation and/or examples that justify the answer) The consumer law allows for every user to place a complaint to the operator that will then be addressed to the regulator for analysis. ERSAR then hears both parts (the operator and the user) and issues a recommendation on how the complaint should be treated by the operator. This recommendation, however, is not binding and if any of the parts disagree they should resort to arbitration by judicial institutions. In 2010, ERSAR received and addressed 4200 complaints, in the following topics: meter reading and billing (53,21%), helpdesk (14,86%), contracting (4,2%), quality of service (11,18%), drinking water quality (1,42%), taxes and tariffs (11,4%), connection (3,73%). In 43% of the complaints, ERSAR ruled in favour of the user and in 44% in favour of the operator. The remnants were considered unintelligible or the analysis proved inconclusive. Alternatively, at local level there are centres for consumer support that have the responsibility to help consumers clarify and obtain a response to their queries or complaints. Other institutions such as the Ombudsman can also intervene in the complaint handling. The few complaints that concern issues of water and sanitation services are made by people that are connected to the services (consumers): 40 in 2011, 43 in 2010, and 56 in 2009, mainly on tariffs and billing. Other complaints are addressed by the Ombudsman are handled from the perspective of the right to a healthy and ecologically balanced environment: 27 complaints, in 2012, 25 in 2011, and 18 in 2010. They are mainly motivated by charges for the connection to the water and sanitation networks, by conditions in the groundwater capture and, with very little expression, by lack of access to public networks or substitutive services (such as municipal water distribution by tankers or periodic cleaning of septic tanks). Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion) Official documents (Number of complaints treated by the regulator available at the annual reports: http://www.ersar.pt/website/ViewContent.aspx?FolderPath=&SubFolderPath=%5CRoot%5CContents%5CSitio%5CMenuPrincipal%5CDocumentacao%5CPublicacoesIRAR&BookCategoryID=1&BookTypeID=3&Section= Reliability of the response: (i.e. high, medium, or low-level of confidence) High</p>				
1.3.5 There are mechanisms in place to allow right-holders to keep responsible authorities accountable		x		
<p>Score justification (please provide brief explanation and/or examples that justify the answer) Transparency of information is one of the most effective mechanisms for accountability. The information on service provision for every operator is available at the annual reports published by ERSAR as well as at ERSAR’s website. This information is used by ERSAR to compare operators’ performance and to allow for a public scrutiny of each operator. Operators also have duties in the publication of information regarding service regulations, tariffs, water quality and accounts, among others. Nevertheless, other accountability mechanisms such as the reinforcement of the possibility by the regulator of imposing penalties to poorly performing operators could bring a more powerful accountability mechanism. Also, additional to these accountability mechanisms which are in place for operators, the creation of other accountability mechanisms more directed to the national official institutions would be seen as a step ahead in empowering right-holders, by creating more pressure on the institutions’ side. Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion) Official documents (ERSAR’s statutes http://www.ersar.pt/CMS_BackOffice/ResourceLink.aspx?ResourceName=DL277_2009; Decree-law n.º 194/2009) Reliability of the response: (i.e. high, medium, or low-level of confidence) High</p>				
<p>Please calculate the score for Area 1.3 1. Add the points obtained (Yes = 3, To a large extent = 2, To a limited extent = 1, No = 0) <u>13</u> 2. Divide the number of total points by 5 <u>2,6</u></p>				
<p>Given the number of High, Medium and Low responses, the average reliability for this area is</p>				

considered (please mark one option) High x Medium ___ Low ___

Area 1.4 Incentive framework for water and sanitation service providers

Rationale. Water and sanitation service providers can have a substantial influence on equitable access outcomes. National and local governments can set, through public policies, the right incentives to ensure that service providers contribute to equitable access.

	No	To a limited extent	To a large extent	Yes
1.4.1 There are mechanisms in place to induce service providers to implement investment plans that favour providing access to those right-holders that lack it			x	

Score justification (please provide brief explanation and/or examples that justify the answer)
 Service contracts have targets for physical access by the populations and, therefore, the level of investment required to serve those areas and the timeline to do those investments. These targets are usually defined as a percentage of a population in a given area. The connection fees were in some cases, however, an obstacle due to its high cost. Due to the already significant universalization of these services in the majority of the municipalities, ERSAR has recommended abolishing connection costs, by compensating in terms of revenues through a general increase in the monthly tariffs. This measure would benefit the unconnected population by not having a cost of connection.

Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion)

Official documents (service contracts; ERSAR recommendations)

Reliability of the response: (i.e. high, medium, or low-level of confidence)

High

1.4.2 There are mechanisms in place to induce service providers to implement operational plans that do not discriminate between service areas		X [NA?]		
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Score justification (please provide brief explanation and/or examples that justify the answer)
 In Portugal this is usually not a big issue since the contracts usually define the areas to be served at a level which is lower than the municipality. Also, the fact that the services are widely universal, especially in urban areas, demonstrates that there is currently no discrimination towards poorer areas. The disparities in terms of service provision are much more related to the fact that the service provision in rural areas poses bigger sustainability issues than the one provided to urban areas given the fact that the per capita investment is much higher in rural areas.

Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion)
 Expert opinion.

Reliability of the response: (i.e. high, medium, or low-level of confidence)

Low

1.4.3 There are mechanisms in place to induce service providers to offer the same level of customer service to people belonging to vulnerable and marginalized groups than to any other customer		x		
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Score justification (please provide brief explanation and/or examples that justify the answer)
 If the conditions of the dwellings are similar, there is no difference in the level of service provided. However, an empirical analysis allows us to understand that vulnerable and marginalised groups don't have, in many cases, the same conditions in terms of housing or standards of living and therefore the possible disparities in terms of the level of service derive from the fact that there is no positive discrimination on service provision to these groups.

Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion)
 Expert opinion.

Reliability of the response: (i.e. high, medium, or low-level of confidence)

Low

1.4.4 There are mechanisms in place to induce service providers to design tariff structures that ensure that the water and sanitation bill is affordable by all				x
<p>Score justification (please provide brief explanation and/or examples that justify the answer) ERSAR evaluates quality of service through a set of indicators, among which there is an affordability indicator. Therefore, every operator has an evaluation depending on the affordability level of its tariffs. Also, ERSAR has issued a set of recommendations which aim to define a tariff structure which addresses possible affordability issues by having lower tariffs that are applicable to poorer households. Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion) Official documents (Preliminary data that will be available at the sector annual report; ERSAR's recommendations) Reliability of the response: (i.e. high, medium, or low-level of confidence) High</p>				
<p>Please calculate the score for Area 1.4 1. Add the points obtained (Yes = 3, To a large extent = 2, To a limited extent = 1, No = 0) <u>_7_</u> 2. Divide the number of total points by 4 <u>_1,75_</u></p>				
<p>Given the number of High, Medium and Low responses, the average reliability for this area is considered (please mark one option) High <u>___</u> Medium <u>_x_</u> Low <u>___</u></p>				

Section 2. Reducing geographical disparities

Areas of action	Relevant section in the “No One Left Behind” document
2.1 Public policies to reduce access disparities between geographical areas	Section 4.1
2.2 Public policies to reduce price disparities between geographical areas	Section 4.2
2.3 Geographical allocation of external support for the sector	Section 2.3

Quantitative information on geographical disparities

<p>Provide the official definition of rural, urban and (if applicable) peri-urban areas in your country/region</p>	<p>The definition is complex and mainly for statistical purposes, joining population and administrative criteria. The municipality is the basic geographic unit. One municipality is composed of, at least, one parish.</p> <p>“Mainly Urban Area” – a parish comprising at least one of the following criteria (not translated)</p> <p>1) o maior valor da média entre o peso da população residente na população total da freguesia e o peso da área na área total da freguesia corresponde a <i>espaço urbano</i>, sendo que o peso da área em <i>espaço de ocupação predominantemente rural</i> não ultrapasse 50% da área total da freguesia ou</p> <p>2) a freguesia integra a sede da Câmara Municipal e tem uma população residente superior a 5.000 habitantes ou</p> <p>3) a freguesia integra total ou parcialmente um lugar com população residente igual ou superior a 5.000 habitantes, sendo que o peso da população do lugar no total da população residente na freguesia ou no total da população residente no lugar, é igual ou superior a 50%.</p> <p>“Medium Urban Area” – a parish comprising at least one of the following criteria (not translated)</p> <p>1) o maior valor da média entre o peso da população residente na população total da freguesia e o peso da área na área total da freguesia corresponde a <i>espaço urbano</i>, sendo que o peso da área de <i>espaço de ocupação predominantemente rural</i> ultrapassa os 50% da área total da freguesia ou</p> <p>2) o maior valor da média entre o peso da população residente na população total da freguesia e o peso da área na área total da freguesia corresponde a <i>espaço urbano</i> em conjunto com <i>espaço semiurbano</i>, sendo que o peso da área de <i>espaço de ocupação predominantemente rural</i> não ultrapassa os 50% da área total da freguesia ou</p> <p>3) a freguesia integra a sede da Câmara Municipal e tem uma população residente igual ou inferior a 5.000 habitantes ou</p> <p>4) a freguesia integra total ou parcialmente um lugar com população residente igual ou superior a 2.000 habitantes e inferior a 5.000 habitantes, sendo que o peso da população do lugar no total da população residente na freguesia ou no total da população residente no lugar, é igual ou superior a 50%.</p> <p>“Rural Area”- a parish not classified as any of the above mentioned.</p>		
	<p>2011 or closest year (please indicate)</p>	<p>2006 or closest year (please indicate)</p>	<p>Source (please indicate whether this is an official source)</p>
<p>Rate of access to water in urban areas (%)</p>	<p>99%</p>	<p>N.A.</p>	<p>ERSAR (preliminary statistics) – Physical accessibility of water supply service (Official source)</p>
<p>Rate of access to water in peri-urban areas (%) (ONLY if this category is relevant in your country/region)</p>			<p>Not relevant</p>
<p>Rate of access to water in</p>	<p>90%</p>	<p>N.A.</p>	<p>ERSAR (preliminary statistics) – Physical accessibility of water</p>

rural areas (%)			supply service (Official source)
Rate of access to sanitation in urban areas (%)	95%	N.A.	ERSAR (preliminary statistics) – Physical accessibility of wastewater service (Official source)
Rate of access to sanitation in peri-urban areas (%) (ONLY if this category is relevant in your country/region)			Not relevant
Rate of access to sanitation in rural areas (%)	69%	N.A.	ERSAR (preliminary statistics) – Physical accessibility of wastewater service (Official source)
Public financial resources spent in reducing geographical disparities in access to water and sanitation (million EUR)	N.A.	N.A.	
Public financial resources spent in reducing geographical disparities in access to water and sanitation (EUR per capita)	N.A.	N.A.	
Public financial resources spent in reducing geographical disparities in access to water and sanitation (% of public budget spent on water and sanitation)	N.A.	N.A.	

N.A. – Non available

Area 2.1 Public policies to reduce access disparities between geographical areas

Rationale. Public policies play a major role in reducing disparities in access between geographical areas, and in particular in increasing access in rural areas

Política Nacional de urbanismo e Política Nacional de Habitação?	No	To a limited extent	To a large extent	Yes
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2.1.1 There is a public policy for reducing disparities between urban, peri-urban, and rural areas			x	
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Score justification (please provide brief explanation and/or examples that justify the answer)
 The strategic plan has as one of its main objectives the universalization of service provision. However, this universalization must have into consideration the cost effectiveness of investments. Whereas in urban (and more densely populated) municipalities the investments can be recovered in a short period, in rural areas there should be a thorough analysis of the best solutions to provide these services, especially to isolated populations. In fact, in many of these cases it is not feasible to have a big investment to bring public services to these populations and a local solution may be required. Anyway, the targets established at the strategic plan have this into consideration and that is why universal coverage considers that 5% of the population should be served by local water supply solutions and 10% of the population should be served by local wastewater treatment solutions. Considering the current results for coverage within the national territory and the fact that there is a significant number of sub-municipal areas with less than 200 inhabitants (more than 10% of the parishes), these figures should probably be revised.

Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion)
 Official document available here: www.maotdr.gov.pt/Admin/Files/Documents/PEAASAR.pdf

Reliability of the response: (i.e. high, medium, or low-level of confidence)
 High

2.1.2 Integrated approaches have been adopted to support the delivery of water and sanitation services in rural areas, informal settlements and slums		x		
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Score justification (please provide brief explanation and/or examples that justify the answer)
 The strategic plan does not have dispositions regarding service provision to informal settlements and slums. However, as usually these services are provided at municipal level and at that level there is a policy for an integrated social approach, which includes housing, welfare, an appropriate standard of living, essential services (including water services) we can say that the majority of the situations are being considered in this context. There is no available data about informal settlements and slums at a national level and it was not possible to identify any integrated approaches to address this issue at a national level. It is undeniable that a national policy with this purpose would bring a more solid and equal approach to this issue.

Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion)
 Expert opinion

Reliability of the response: (i.e. high, medium, or low-level of confidence)
 Low

2.1.3 There are mechanisms in place to support the implementation of appropriate technical solutions for service delivery in rural, informal settlements and slums		x		
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Score justification (please provide brief explanation and/or examples that justify the answer)
 There is no national policy to support the implementation of appropriate technical solutions for service delivery in informal settlements and slums, although at local level some policies exist. This is a topic on which ERSAR is trying to develop some recommendations on how to help these populations and local decision makers to find the best solutions for the provision of water and sanitation. In terms of

<p>services delivery in rural areas, the strategic plan envisages targets for the country, and has this aspect into consideration.</p> <p>Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion) Expert opinion</p> <p>Reliability of the response: (i.e. high, medium, or low-level of confidence) Medium</p>			
<p>2.1.4 There are mechanisms in place to support the implementation of appropriate technical solutions for self-provision of services by households in areas where there is no service provider</p>			
<p>Score justification (please provide brief explanation and/or examples that justify the answer) There is no national policy to support the implementation of appropriate technical solutions for self-provision of services by households in areas where there is no service provider, although at local level some policies exist. This is a topic on which ERSAR is trying to develop some recommendations on how to help these populations and local decision makers to find the best solutions for the provision of water and sanitation.</p> <p>Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion) Expert opinion</p> <p>Reliability of the response: (i.e. high, medium, or low-level of confidence) Medium</p>			
<p>2.1.5 Sector policies mobilize sufficient financial resources to reduce the access gap in rural and peri-urban areas according to the established targets</p>			
<p>Score justification (please provide brief explanation and/or examples that justify the answer) In Portugal there are currently no significant identifiable problems in terms of access to these services in peri-urban areas. Rural access is lagging somewhat behind, when compared with urban access, especially in terms of sanitation, however, in many cases, this derives from a cost-benefit analysis of these investments. A specific policy referred in question 2.1.4 may help on solving this issue, by mobilising financial resources to subsidise the implementation of appropriate technical solutions for self-provision of services by households in rural areas where there is no service provider.</p> <p>Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion) Expert opinion</p> <p>Reliability of the response: (i.e. high, medium, or low-level of confidence) Low</p>			
<p>Please calculate the score for Area 2.1</p> <p>1. Add the points obtained (Yes = 3, To a large extent = 2, To a limited extent = 1, No = 0) <u>6</u></p> <p>2. Divide the number of total points by 5 <u>1,2</u></p>			
<p>Given the number of High, Medium and Low responses, the average reliability for this area is considered (please mark one option) High <u> </u> Medium <u>x</u> Low <u> </u></p>			

Area 2.2 Public policies to reduce price disparities between geographical areas

Rationale. Some geographical areas face higher prices than others. This may be due to higher levels of service, higher cost of service provision (e.g. due to expensive access to clean water sources, or to low density of population), less efficient provision of services (e.g. poor maintenance leading to higher cost, or too many staff per connection), or uneven distribution of public subsidies. Public policies can play a major role in reducing price disparities between geographical areas.

	No	To a limited extent	To a large extent	Yes
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2.2.1 There are mechanisms in place to track prices as well as cost of provision of water and sanitation services				x
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Score justification (please provide brief explanation and/or examples that justify the answer)
ERSAR collects information related to prices of water supply and sanitation services annually and compares those prices with each other, publicising this information on ERSAR's website so that every stakeholder can have access to this information. Since 2011, ERSAR also collects information about costs of each of the more than 300 operators as part of the economic regulation cycle and integrated as an indicator to evaluate quality of service.

Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion)
Official documents (ERSAR's website and sector annual report available here:

<http://www.ersar.pt/website/ViewContent.aspx?FolderPath=&SubFolderPath=%5CRoot%5CContents%5CSitio%5CMenuPrincipal%5CDocumentacao%5CPublicacoesIRAR&BookCategoryID=1&BookTypeID=3&Section=>

Reliability of the response: (i.e. high, medium, or low-level of confidence)
High

2.2.2 Price benchmarking tools (such as affordability indicators or tariff reference values) have been introduced				x
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Score justification (please provide brief explanation and/or examples that justify the answer)
An affordability indicator integrates the annual cycle for evaluation of the quality of service of each operator. This indicator compares the charges a standard consumer pays per year with his annual disposable income. The preliminary data for 2011 shows that these services charges to consumers represent on average less than 0,7% of the annual disposable income (consumption of 120 m³/year). ERSAR has issued in 2009 and 2010 two recommendations that aim to provide reference tariff structures and to harmonise the disparities in prices throughout the country. Since then, the operators have tried to adopt those recommendations by adapting their tariffs to the recommended structure and values.

Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion)
Official documents (Preliminary data on quality of service evaluation, ERSAR's recommendations available here:

<http://www.ersar.pt/website/ViewContent.aspx?SubFolderPath=%5CRoot%5CContents%5CSitio%5CMenuPrincipal%5CDocumentacao%5COutrosdocumentosIRAR&Section=MenuPrincipal&FolderPath=%5CRoot%5CContents%5CSitio%5CMenuPrincipal%5CDocumentacao&BookTypeID=5&BookCategoryID=2>

Reliability of the response: (i.e. high, medium, or low-level of confidence)
High

2.2.3 Public subsidies are targeted to those areas that face higher costs of service provision (not just higher prices)				x
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Score justification (please provide brief explanation and/or examples that justify the answer)
The tenders for applications to public subsidies have some criteria for evaluation which include the expected increase in efficiency, the additional population served, the environmental outcomes, the impact on the expected tariff in terms of affordability, among others.

Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion)
Official documents, expert opinion

Reliability of the response: (i.e. high, medium, or low-level of confidence) Medium				
2.2.4 The sector is organized to enable cross-subsidization between localities with high-cost and low-cost of service provision				x
<p>Score justification (please provide brief explanation and/or examples that justify the answer) The sector is organised in a way there are areas in the country where the same operator serves several municipalities, enabling not only scale economies but also the cross-subsidisation between areas with lower costs to areas with higher costs. This is especially true for the bulk services, although there is a growing trend for aggregation in retail services. There have been some studies to further increase this aggregation and it is expectable that in the near future a restructuring of the sector may lead to a merge of operators.</p> <p>Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion) Official documents (ERSAR's website and sector annual report available here: http://www.ersar.pt/website/ViewContent.aspx?FolderPath=&SubFolderPath=%5CRoot%5CContents%5CSitio%5CMenuPrincipal%5CDocumentacao%5CPublicacoesIRAR&BookCategoryID=1&BookTypeID=3&Section=</p>				
<p>Reliability of the response: (i.e. high, medium, or low-level of confidence) High</p>				
<p>Please calculate the score for Area 2.2</p> <ol style="list-style-type: none"> 1. Add the points obtained (Yes = 3, To a large extent = 2, To a limited extent = 1, No = 0) <u>_12_</u> 2. Divide the number of total points by 4 <u>_3_</u> 				
<p>Given the number of High, Medium and Low responses, the average reliability for this area is considered (please mark one option) High <u>_x_</u> Medium <u>___</u> Low <u>___</u></p>				

Area 2.3 Geographical allocation of external support for the sector

Rationale. In some countries, development partners (donor countries) are key providers of funding for water and sanitation infrastructure. There is often scope to reallocate the funding to accelerate access in geographical areas that lag behind.

	No	To a limited extent	To a large extent	Yes
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2.3.1 Public authorities have identified in the sector plan the areas that are lagging behind plan and require external support				x
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Score justification (please provide brief explanation and/or examples that justify the answer)
 In the definition of the strategic plan and in the creation of multi-municipal companies there have been intents to address the accessibility problems found in previous versions of the plan.
Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion)
 Official document available here: www.maotdr.gov.pt/Admin/Files/Documents/PEAASAR.pdf (PEAASAR II)
 Previous plan (PEAASAR I) enables the comparison.
Reliability of the response: (i.e. high, medium, or low-level of confidence)
 High

2.3.2 There is international financial support to increase access in geographical areas that lag behind (as identified in the sector plan)			x	
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Score justification (please provide brief explanation and/or examples that justify the answer)
 Portugal benefits from European Union funding through the Cohesion Fund and the European Regional Development Fund. The criteria for access to these services discriminates positively the poorest areas (which usually are coincident with the regions that are lagging behind in terms of access to services). The national framework for EU funding (QREN) also gives priority to funding of lower scale solutions. This is, however, a general disposition for these funds, since they cover several sectors of the economy. There is no other source of international financial support directed to these services.
Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion)
 Expert opinion, eligibility criteria for EU funding.
Reliability of the response: (i.e. high, medium, or low-level of confidence)
 Medium

Please calculate the score for Area 2.3
 1. Add the points obtained (Yes = 3, To a large extent = 2, To a limited extent = 1, No = 0) 5
 2. Divide the number of total points by 2 2,5

Given the number of High, Medium and Low responses, the average reliability for this area is considered (please mark one option) High Medium x Low

Section 3. Ensuring access for vulnerable and marginalized groups

Areas of action	Relevant section in the “No One Left Behind” document
3.1 Public policies to address the needs of vulnerable and marginalised groups	Section 5.1
3.2 Persons with special physical needs	Section 5.2
3.3 Users of institutional facilities and institutionalised persons	Section 5.3
3.4 Persons without a fixed residence	Section 5.4
3.5 Persons living in housing without water and sanitation	Section 5.5
3.6 Persons without access to water and sanitation in their workplaces	Not discussed

Quantitative information on vulnerable and marginalised groups

<p>Please, provide the official definition of vulnerable and marginalized groups in your country/region/city</p>	<p>The Portuguese social security services use two criteria:</p> <p>1. Economic need (due to an unexpected event or a permanent need);</p> <p>2. Priority groups – families with children at risk; elderly people at risk; victims of domestic violence; dependent people; drug addicts; people infected with HIV and/or AIDS; persons/families identified by other institutions as being at risk.</p>		
	<p>2011 or closest year (please indicate)</p>	<p>2006 or closest year (please indicate)</p>	<p>Source (please indicate whether this is an official source)</p>
<p>Rate of access to water in the country/region/city (%)</p>	<p>95%</p>	<p>91%</p>	<p>ERSAR (preliminary statistics) – Physical accessibility of wastewater service 2006 – National Inventory for Water and Sanitation Services (INSAAR, INAG) – “Population covered with water services” (Official source)</p>
<p>Rate of access to water by the poorest fifth of the population (%)</p>	<p>N.A.</p>	<p>N.A.</p>	<p>There is no cross information on income and access to water (this is only possible per region)</p>
<p>Rate of access to sanitation in the country/region/city (%)</p>	<p>81% (only drainage) 78% (drainage with treatment)</p>	<p>77% (only drainage) 72% (drainage with treatment)</p>	<p>ERSAR (preliminary statistics) – Physical accessibility of wastewater service 2006 – National Inventory for Water and Sanitation Services (INSAAR, INAG) – “Population covered with water services”</p>

			(Official source)
Rate of access to sanitation by the poorest fifth of the population (%)	N.A.	N.A.	There is no cross information on income and access to water (this is only possible per region)
Percentage of water and sanitation facilities open to the public that are accessible to people with disabilities	N.A.	N.A.	
Percentage of schools that have sufficient and adequate water and sanitation services	N.A.	N.A.	Public schools run by Parque Escolar have 100%. Official source not specified (Ministry of Education)
Percentage of hospitals that have sufficient and adequate water and sanitation services	N.A.	N.A.	100% Official source not specified (Ministry of Health)
Percentage of prisons that have sufficient and adequate water and sanitation services	100% (2009)	N.A.	Official source (Ombudsman report)
Percentage of persons without a fixed residence that have access to water and sanitation through public facilities	N.A.	N.A.	
Number of people lacking access to water and sanitation that live in neighbourhoods where access is available	N.A.*	N.A.*	
Public financial resources spent in ensuring access to water and sanitation by vulnerable and marginalized groups (EUR per capita)	N.A.	N.A.	
Public financial resources spent in ensuring access to water and sanitation by vulnerable and marginalized groups (million EUR)	N.A.	N.A.	

* Note that the terms “access” used in this question are confusing. The term “access is available” points to the existence of public supply services as described in Section 1, but the term “access to water and sanitation” seems to imply the lack of connection to the services.

N.A. – Non available.

Area 3.1 Public policies to address the needs of vulnerable and marginalised groups

Rationale. There are many vulnerable and marginalized groups, each with their own needs and facing different barriers to achieve equitable access, and thus requiring different solutions. Public policies, both in the water and sanitation sector and in other sectors, can play a major role in ensuring access. An integrated policy response needs to be articulated.

	No	To a limited extent	To a large extent	Yes
3.1.1 There is a water and sanitation policy recognizing the special and differentiated needs of vulnerable and marginalized groups		X		

Score justification (please provide brief explanation and/or examples that justify the answer)

No national level policy was identified.

To a limited extent, there are, in some southern counties, water and sanitation local policies recognizing special and differentiated needs towards Roma people. The Ombudsman knows this because of complaints against some municipalities for not addressing these issues. In these terms, reliability of the response has a low-level degree of confidence.

Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion)
Stakeholder consultation

Reliability of the response: (i.e. high, medium, or low-level of confidence)
Low

3.1.2 Relevant policies in other sectors (e.g. social inclusion, social protection, education, health, prisons, housing) includes their role in ensuring access to water and sanitation by vulnerable and marginalize groups.		X		
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Score justification (please provide brief explanation and/or examples that justify the answer)

Some areas of social policy have included issues of access to water and sanitation (ex.: persons with special physical needs, Roma communities).

According to the Ombudsman, there are relevant policies in other sectors, namely prisons, including water supply and sanitation. The Portuguese Ombudsman monitors regularly all prisons and has noticed major improvements on the last 16 years.

Other sectors of social policy are lacking specific and integrated approaches related to the access to water and sanitation by vulnerable and marginalized groups.

The Ombudsman pondered an investigation unofficially regarding water supply conditions. By order of the 14th February, 2011, he determined the ascertainment of the facts that were reported in the press, as the European Centre for the Rights of Roma People imputed to the municipality of Vidigueira (in Alentejo region) to have arbitrarily interrupted the water supply to a Roma settlement. Exploratory contacts made it possible to verify that it was not the supply disruption, but the counters set on, before the high consumption registered on free of charge water which indicate too much waste from the public network. In the absence of payment of some consumption, municipal authorities have sought to resolve the issue and provide consensus. They're coming to create a park with water and sanitation infrastructures, designed to accommodate nomadic groups, like other successful experiences in Alentejo.

Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion)
Stakeholder consultation

Reliability of the response: (i.e. high, medium, or low-level of confidence)

Low				
3.1.3 There are mechanisms in place to identify (in a participatory manner) and address the water and sanitation needs of vulnerable and marginalized groups		X		
<p>Score justification (please provide brief explanation and/or examples that justify the answer)</p> <p>The Ombudsman does not know any specific mechanism in place to identify and address water and sanitation needs of vulnerable and marginalized groups. Anyway, those people and NGO can make a complaint to the Ombudsman, in case there is a violation of the right to water supply and sanitation.</p> <p>Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion) Stakeholder consultation</p> <p>Reliability of the response: (i.e. high, medium, or low-level of confidence) Low</p>				
3.1.4 Public budgets provide specific funding to address the water and sanitation needs of vulnerable and marginalized groups		X		
<p>Score justification (please provide brief explanation and/or examples that justify the answer)</p> <p>Public budgets do not address water and sanitation needs of vulnerable or marginalized groups <i>per se</i>. However, there are specific programs at national level for social housing (including a specific national strategy aimed at Roma communities) or to support the access to products and adaptation of sanitation equipment to the needs of persons with special physical needs. Also, many local and regional budgets to provide housing are good means for that purpose. It would be important to assess the financial resources needed for specific activities linked with access to water and sanitation by vulnerable and marginalised groups (e.g. positive discrimination activities).</p> <p>Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion) Stakeholder consultation</p> <p>Reliability of the response: (i.e. high, medium, or low-level of confidence) Medium</p>				
3.1.5 Integrated approaches (involving different administrations) have been adopted to support the delivery of water and sanitation services for vulnerable and marginalized groups		X		
<p>Score justification (please provide brief explanation and/or examples that justify the answer) Some actions have been taken. For details, see 3.2.3 or 3.5.5.</p> <p>Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion) Stakeholder consultation</p> <p>Reliability of the response: (i.e. high, medium, or low-level of confidence) Medium</p>				
<p>Please calculate the score for Area 3.1</p> <ol style="list-style-type: none"> 1. Add the points obtained (Yes = 3, To a large extent = 2, To a limited extent = 1, No = 0) - 5 2. Divide the number of total points by 5 - 1 				
<p>Given the number of High, Medium and Low responses, the average reliability for this area is considered (please mark one option) High ___ Medium ___ Low <u>X</u></p>				

Area 3.2 Persons with special physical needs

Rationale. Many disabled, sick, and elderly people face problems in accessing water supply and sanitation services because of their specific physical needs.

	No	To a limited extent	To a large extent	Yes
3.2.1 There is data on levels of access to water and sanitation by persons with special physical needs	X			

Score justification (please provide brief explanation and/or examples that justify the answer)

Data not available

Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion)
Stakeholder consultation

Reliability of the response: (i.e. high, medium, or low-level of confidence)

High

3.2.2 There is a public policy to ensure access to water and sanitation by persons with special physical needs				X
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Score justification (please provide brief explanation and/or examples that justify the answer)

The Ombudsman asserts that the Decree-law 163/2006, 8th august, ensures accessibility for disabled people and others with reduced mobility on every official building until 2016 and provides for universal design projects on other buildings. New houses should accomplish these rules, increasingly, until 2014.

Furthermore, some municipalities have special programs aimed at people with special physical needs (ex.: Project CASA in Lisbon).

Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion)
Official document; Stakeholder consultation.

Reliability of the response: (i.e. high, medium, or low-level of confidence)

High

3.2.3 There is specific public funding to support access to water and sanitation by persons with special physical needs			X	
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Score justification (please provide brief explanation and/or examples that justify the answer)

On a national level, the System of Support to Products of Autonomy (SAPA) is aimed at funding the access by persons with special physical needs to specific products related to their needs, including products related to water and sanitation access (adapted showers, bars for toilet support, etc.), among others. These resources are allocated independently of the economic need of the candidates, and are conveyed by the regional offices of the Social Security, Ministry of Health and Ministry of Education with the help of the family doctor. It was not possible to retrieve the amount of financial resources allocated.

On a local level, some municipalities organized “Local Councils of Social Support” since 2001, bringing together the services of each municipality and local players to analyze, discuss and give advice on the allocation of local financial help to disabled people in need, including resources for products and to adapt the water and sanitation equipment to their special physical needs. It was not possible to retrieve the amount of financial resources allocated.

This question should probably be merged with 3.2.5

Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion)
Stakeholder consultation

Reliability of the response: (i.e. high, medium, or low-level of confidence)
Medium

3.2.4 There are technical standards that ensure the establishment of facilities accessible to persons with special physical needs				X
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Score justification (please provide brief explanation and/or examples that justify the answer)
Yes, Decree-Law 163/2006, ensures accessibility for disabled people and others with reduced mobility on every official building until 2016 and provides for universal design projects on other buildings. New houses should accomplish these rules, increasingly, until 2014. In buildings that the general public can access, at least 10% of sanitation facilities have to be accessible to persons with special physical needs.

Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion)
Official documents

Reliability of the response: (i.e. high, medium, or low-level of confidence)
High

3.2.5 There are mechanisms in place to support the adaptation of private facilities for persons with special physical needs			X	
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Score justification (please provide brief explanation and/or examples that justify the answer)
See question 3.2.3. This questions should probably be merged with 3.2.3

Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion)
Stakeholder consultation

Reliability of the response: (i.e. high, medium, or low-level of confidence)
Medium

Please calculate the score for Area 3.2

1. Add the points obtained (Yes = 3, To a large extent = 2, To a limited extent = 1, No = 0) - 10
2. Divide the number of total points by 5 – 2

Given the number of High, Medium and Low responses, the average reliability for this area is considered (please mark one option) High X Medium Low

Area 3.3 Users of institutional facilities and institutionalised persons

Rationale. Many people spend all or a significant part of their time in institutional facilities (which include kindergartens, schools, health facilities, retirement homes, prisons, and refugee camps), and they cannot secure independent access to water and sanitation.

	No	To a limited extent	To a large extent	Yes
3.3.1 There is data on levels of access to water and sanitation in institutional facilities			X	
<p>Score justification (please provide brief explanation and/or examples that justify the answer)</p> <p>No specific data available but some context information allows for a positive answer.</p> <p>[Retirement homes] Last Ombudsman report on official homes for the elderly and last report on youth social reintegration centers didn't notice specific problems.</p> <p>[Schools] According to the Ministry of Education, it is compulsory for Portuguese Schools to provide access to water and sanitation, according to national regulations. All Parque Escolar Schools comply with this legal obligation. Parque Escolar, a public company responsible for the renovation and maintenance works of the Portuguese secondary schools, conducted a survey in 2010 in 18 schools nationwide to assess the level of satisfaction with the schools' equipment – the level of satisfaction with sanitation facilities was approximately 3,5 out of 5.</p> <p>[Prisons] According to the Ministry of Justice, prison facilities are part of the public water supply and sanitation, their consumption is measured together with other consumptions.</p> <p>The Ombudsman attests that there is data on levels of access to water and sanitation in prison facilities. Means used are the last Ombudsman reports over all the Portuguese prisons – civil and military, continental and on the Atlantic Islands of Azores and Madeira, including centres for illegal immigration. On this basis, we can assure a high level of confidence. Reports on prisons were published in 1996, 1998 and 2003.</p> <p>The Ministry of Internal Affairs attests that 340 infrastructures of PSP, as well as infrastructure of GNR and SEF have water and sanitation facilities. About 18% of the infrastructure of PSP (including detention centres) have specific sanitation facilities for handicapped people. There's no specific data for GNR infrastructure. The SEF temporary installation centre of Porto (detention centre) has specific sanitation facilities for handicapped people. The temporary installation centre of Lisbon does not have specific facilities for handicapped people. The Santo António Housing Unit (Centro de Instalação Temporária (CIT) para migrantes em situação irregular em território nacional), of SEF, does not have specific facilities for handicapped people.</p> <p>[Health facilities] The Ministry of Health informs that access to water and sanitation isn't denied to anyone in health facilities. Official documents were not given.</p> <p>Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion)</p> <p>Stakeholder consultation</p> <p>Reliability of the response: (i.e. high, medium, or low-level of confidence)</p> <p>High</p>				
3.3.2 There is a public policy to ensure access to water and sanitation by users of institutional facilities and institutionalized persons			X	
<p>Score justification (please provide brief explanation and/or examples that justify the answer)</p> <p>No specific data available.</p> <p>[Retirement homes]</p>				

[Schools]

[Retirement homes] There is a National Plan for the Elderly, but no specific provisions are made concerning access to water and sanitation.

[Health facilities] The Ministry of Health attests that institutional facilities are designed to ensure access by users.

[Schools] Portuguese regulations stipulate the obligation to provide access to water and sanitation in all schools (RGEU- General Regulation on Urban Constructions – Decree-Law 38 382, of 07/08/1951, in its current wording; General Regulation for Hygiene and Safety at Shops, Offices and Services – Decree-Law 243/ 86, of 20/08/86). In 2003, the Ministry of Education issued a handbook on the use and maintenance of schools (“Manual de Utilização e Manutenção das Escolas”), that provides specific instructions for the good use of drinking water and sanitation facilities and good practices, as well as provisions about how to ensure access to water, sanitation and hygiene in schools.

[Prisons] According to the Ministry of Justice, prison facilities employ general systems of water supply and sanitation.

The Ombudsman answered positively - one of the most serious problems on Portuguese prisons in this area was the bucket toilet in each cell that, in 1996, still existed in many prisons. This was a serious deprivation of the right of access to sanitation. After several recommendations from de Portuguese National Ombudsman, cell buckets (or sanitary pails) were completely eradicated in 2009 as reported officially to the Council of Europe.

Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion)

Expert opinion; Multi-stakeholder consultation; Official documents

Reliability of the response: (i.e. high, medium, or low-level of confidence)

High

3.3.3 There is specific public funding to support access to water and sanitation by users of institutional facilities and institutionalized persons

X

Score justification (please provide brief explanation and/or examples that justify the answer)

No specific data available.

[Schools] There is no specific funding for water and sanitation for educational facilities. However, Portuguese Schools have to consider these costs in their budgets and assure their payment. Since public schools are financed through the Portuguese Government, these services are already included in their financial budgets.

[Prisons] According to the Ministry of Justice, water and sanitation used in prison facilities is funded from the general budget of the prison services

According to the Ombudsman, there is no specific public funding to support access to water and sanitation by persons institutionalized in prison facilities.

[Health facilities] According to the Ministry of Health, there is no specific funding. It isn't necessary since these facilities have to consider these costs in their budgets and assure their payment.

Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion)

Expert opinion; Stakeholder consultation; State Budget

Reliability of the response: (i.e. high, medium, or low-level of confidence)

High

Reliability of the response: (i.e. high, medium, or low-level of confidence)

Low

3.3.4 Institutional facilities have relevant complaint mechanisms in place				X
<p>Score justification (please provide brief explanation and/or examples that justify the answer)</p> <p>Public facilities have to provide a complaints book when asked by users. This is mandatory by law (Decree-law 371/2007).</p> <p>[Prisons] People living in prisons use the general mechanisms (General Inspection Body for Justice Ministry and Portuguese Ombudsman).</p> <p>[Schools] In terms of school service, complaints should first be addressed to the school board, and secondly to the Ministry of Education. In terms of facilities management, Parque Escolar's Schools can address Parque Escolar to solve infra-structural problems. No data concerning private facilities.</p> <p>Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion)</p> <p>Expert opinion; Stakeholder consultation; Official documents: On what concerns Parque Escolar's Schools, there is a contract, between the Ministry of Education and this State-owned company defines sanctions for the non-availability of the infrastructure.</p> <p>Reliability of the response: (i.e. high, medium, or low-level of confidence)</p> <p>High</p>				
3.3.5 Institutional facilities have separate toilets for males and females as well as adequate facilities for menstrual hygiene management			X	
<p>Score justification (please provide brief explanation and/or examples that justify the answer)</p> <p>No specific data available.</p> <p>[Prisons] According to the Ministry of Justice, prison facilities for males and females are independent, there is no sharing of any kind of services</p> <p>According to the Ombudsman, men and women are absolutely separated different prisons: 46 male prisons and 3 female. Even where male prisons display very small female sections (four of the 46 male prisons), women are housed in different buildings and have their own and proper sanitary facilities.</p> <p>[Health facilities] It's mandatory for the more recent (last 20-30 years) facilities. No data about the retrofit of existing facilities.</p> <p>[Schools] Portuguese Legislation for working conditions specifies separate toilets for males and females, with service in accordance. Parque Escolar claims that 100% of the schools managed by this public company have separate toilets.</p> <p>Generally, official documents to support these statements were not given.</p> <p>Menstrual hygiene should be a separate question?</p> <p>Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion)</p> <p>Stakeholder consultation; official documents (General Regulation for Hygiene and Safety at Shops, Offices and Services –Decree-Law 243/ 86, of 20/08/86).</p> <p>Reliability of the response: (i.e. high, medium, or low-level of confidence)</p> <p>High</p>				
<p>Please calculate the score for Area 3.3</p> <ol style="list-style-type: none"> 1. Add the points obtained (Yes = 3, To a large extent = 2, To a limited extent = 1, No = 0) - 9 2. Divide the number of total points by 5 - 1,8 				
<p>Given the number of High, Medium and Low responses, the average reliability for this area is</p> <p>High</p> <p>considered (please mark one option) High ___ Medium X Low ___</p>				

Area 3.4 Persons without a fixed residence

Rationale. A number of people lack access to water and sanitation services not because their locality is not served or because they cannot afford them, but because they have no fixed dwelling to be connected to the water and sanitation networks. They include homeless persons, travelers, and nomadic communities. (The challenge of settlements of ethnic minorities is considered under area 3.5)

	No	To a limited extent	To a large extent	Yes
3.4.1 There is data on levels of access to water and sanitation by persons without a fixed residence			X	

Score justification (please provide brief explanation and/or examples that justify the answer)

There is no data about homeless people according to several stakeholders (Ministry of Social Security, High Commission for Immigration and Intercultural Dialogue - ACIDI, Ombudsman).

There is data about Roma communities provided by the Support Office for Roma Communities of the ACIDI – in 2009, 4200 families had no fixed residence and lived scattered around the country mostly in tents. These families never had a house, lived in peripheral areas, without basic infrastructure like access to water, electricity and sanitation. Several municipalities failed to answer this survey, so the real figures are probably higher.

Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion)
Stakeholder consultation

Reliability of the response: (i.e. high, medium, or low-level of confidence)
Medium

3.4.2 There is a public policy to ensure access to water and sanitation by persons without a fixed residence		X		
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Score justification (please provide brief explanation and/or examples that justify the answer)

There is a National Plan for Homeless People, but there are no specific provisions concerning access to water and sanitation.

The new National Strategy for Roma communities (recently approved by the government) outlines housing and education policies heavily funded by European funds that are expected to have a direct impact on the improvement of access to water and sanitation in these communities.

The Ombudsman is aware of some parks for nomadic people with water supply and sanitation facilities. The municipality of Coimbra was mentioned by ACIDI as the single case of a local authority actively promoting a project to empower and support Roma families in the transition of poor living conditions (because they are nomadic or living in shacks/tents) to adequate social housing. The project is called “Housing Training Centre” (Centro de Estágio Habitacional), The project started as an attempt at creating a nomadic park but quickly evolved to the current profile.

Some municipalities, as Lisbon Council, provide for free showers and sanitation facilities regarding homeless people and others with special needs. A national survey would have been useful to determine the impact of these situations but no such tool was available.

Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion)
Stakeholder consultation

Reliability of the response: (i.e. high, medium, or low-level of confidence)
Low

3.4.3 There is specific public funding to support access to water and sanitation by persons without a fixed residence		X		
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Score justification (please provide brief explanation and/or examples that justify the answer)

All the aforementioned policies are supported by public funding.

Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion)
Stakeholder consultation

Reliability of the response: (i.e. high, medium, or low-level of confidence)

Low

Please calculate the score for Area 3.4

1. Add the points obtained (Yes = 3, To a large extent = 2, To a limited extent = 1, No = 0) 4
2. Divide the number of total points by 3 1,3

Given the number of High, Medium and Low responses, the average reliability for this area is considered (please mark one option) High ___ Medium ___ Low X

Area 3.5 Persons living in housing without water and sanitation

Rationale. People belonging to vulnerable and marginalized groups often live in housing without basic water and sanitation, even if they are located in neighborhoods/localities with access. The causes include situations of illegal tenure, low quality of rented accommodation, squatting, as well as discrimination of ethnic minorities. (The challenge of full localities without access is considered under area 2.1)

	No	To a limited extent	To a large extent	Yes
3.5.1 There is data on lack of access to water and sanitation by households living in neighborhoods with access		X		

Score justification (please provide brief explanation and/or examples that justify the answer)

It is not possible to cross the available data about access to water and sanitation networks with the data concerning household income and vulnerable and marginalized groups.

However, the national statistics provide information about housing facilities equipped with water and sanitation (water, toilet [retrete] and bathtub or shower) as follows (2011, mainland Portugal):

- Water, toilet, heating and bathtub/shower: 87,11%;
- Water, toilet, heating and no bathtub/shower: 0,83%;
- Water, toilet and bathtub/shower: 10,90%;
- Water, toilet and no bathtub/shower: 0,27%;
- Water and heating only: 0,26%;
- Toilet and heating only: 0,16%;
- Toilet only: 0,08%;
- Water only: 0,09%;
- No sanitation equipment: 0,18%, accounting for about 7000 houses.

Concerning Roma communities, in 2001 a survey by SOS Racism reported 31% of Roma living in precarious housing. In 2009, a document issued by the Institute of Social Security of the Ministry of Social Security (“Notes about the intervention in Roma communities”) estimated about 6400 Roma people living without proper housing, water and sanitation conditions.

Finally, a Report of the Commission of Ethics, Society and Culture of the Portuguese parliament (2009) identified poor housing conditions for Roma people as a bottleneck concerning access to water and sanitation, and mentions that the low life expectancy of these communities can also be explained by the lack of access to water and sanitation. By 2014, ACIDI expects to have a report describing Roma communities in Portugal. The report will also address access to water and sanitation issues.

Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion)
Official documents (Statistics Portugal); Stakeholder consultation, Official documents.

Reliability of the response: (i.e. high, medium, or low-level of confidence)

High

3.5.2 There is a public policy to address the lack of access to water and sanitation by households living in neighborhoods with access		X		
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Score justification (please provide brief explanation and/or examples that justify the answer)

The National Strategic Plan for Water and Sanitation doesn’t address specific group needs concerning housing without basic water and sanitation in neighborhoods with access. However, the existing policy makes provision for the right of connection to water and sanitation services if the network is available. The National Institute for Housing and Urban Rehabilitation (IHRU) shares responsibility for this policy area.

Some municipalities have specific social housing programs design to demolish or reform the neighborhoods without access and move these groups to newly built council houses, with full access to

<p>water and sanitation. However, it was impossible to collect nationwide data about these initiatives. ACIDI points that some municipalities refuse to build water and sanitation networks for households/neighborhoods of Roma communities close to neighborhoods with access in order to prevent the permanent settlement of Roma people.</p> <p>The new National Strategy for Roma communities (recently approved by the government) outlines housing and education policies heavily funded by European funds that are expected to have a direct impact on the improvement of access to water and sanitation in these communities.</p> <p>Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion) Official documents (PEAASAR); Expert opinion.</p> <p>Reliability of the response: (i.e. high, medium, or low-level of confidence) Medium</p>				
3.5.3 There is specific public funding to support access to water and sanitation by households living in neighborhoods with access	X			
<p>Score justification (please provide brief explanation and/or examples that justify the answer)</p> <p>Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion)</p> <p>Reliability of the response: (i.e. high, medium, or low-level of confidence)</p>				
3.5.4 There is an official diagnostic of the problem and a characterization of the different situations (e.g. illegal tenure, ethnic discrimination, low quality of rented accommodation)	X			
<p>Score justification (please provide brief explanation and/or examples that justify the answer) ACIDI has a specific body (Commission for Equality and Against Racial Discrimination – CICDR) to analyze and propose measures to address ethnic discrimination, including discriminations in access to housing. But no official diagnostic has been produced.</p> <p>Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion) Stakeholder opinion.</p> <p>Reliability of the response: (i.e. high, medium, or low-level of confidence) Medium.</p>				
3.5.5 There are integrated programs (involving different government departments) to address the symptoms and causes of the lack of access		X		
<p>Score justification (please provide brief explanation and/or examples that justify the answer)</p> <p>No available data on a national government level.</p> <p>However, ACIDI is sometimes called to intervene in cases of ethnic discrimination in access to housing. It addresses municipalities and IHRU and tries to solve the situations. For instance, in the municipality of Beja, in the southern region of Alentejo, ACIDI put in place a mediation scheme between the local water services operator and the local Roma community living in a single neighborhood in order to provide for a solution to long years of non-payment of water bills and degradation of water and sanitation infrastructure. The mediator reached an agreement involving both parties: each tenant will pay an extra 5 €/month in the water bill for 30 years and the water operator will perform public works on the damaged water and sanitation housing equipment and infrastructure.</p> <p>Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion) Stakeholder opinion.</p> <p>Reliability of the response: (i.e. high, medium, or low-level of confidence) Medium.</p>				

Please calculate the score for Area 3.5

1. Add the points obtained (Yes = 3, To a large extent = 2, To a limited extent = 1, No = 0) - 3
2. Divide the number of total points by 5 – 0,6

Given the number of High, Medium and Low responses, the average reliability for this area is considered (please mark one option) High ___ Medium X Low___

Area 3.6 Persons without access to water and sanitation in their workplaces

Rationale. While many people spend most of their time in their workplaces, there are many cases of workplaces without adequate access to water and sanitation.

	No	To a limited extent	To a large extent	Yes
3.6.1 There is data on lack of access to water and sanitation by workers in their workplaces		X		

Score justification (please provide brief explanation and/or examples that justify the answer)

There is no direct data. The available data regards the activity of the Authority for Working Conditions (ACT). During 2012, the Authority performed 37398 safety and health visits to work places involving 231.624 workers. The ACT issued 11 notices of infraction of provisions of laws or regulations conducing to penalty fees and 717 notifications to employers to enforce measures that guarantee access to drinking water supply and sanitation to workers. In this respect, water and sanitation issues are seen as not problematic. The figures per sector are:

- Industry: 8 notices of infraction and 536 notifications regarding easy access of drinking water for workers, availability of water supply, toilets and eating facilities.
- Shops, offices and services: 1 notice of infraction concerning showers, 55 notifications regarding easy access of drinking water for workers, availability of water supply and toilets.
- Provisional construction sites: 2 notices of infraction concerning sanitation equipment and 126 notifications regarding easy access of drinking water for workers, availability of water supply, toilets and sanitation equipment, cleaning of dorm rooms, eating facilities and lavatories with drinking water.

However, the ACT acknowledges some difficulties in reaching the black and informal economy where issues of access to water and sanitation are likely to appear.

Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion)
Data from the national information system of the Authority for Working Conditions;

Reliability of the response: (i.e. high, medium, or low-level of confidence)
High

3.6.2 There is a public policy to address the lack of access to water and sanitation by workers in their workplaces				X
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Score justification (please provide brief explanation and/or examples that justify the answer)

There is a legal framework to address these issues, comprising namely:

- Portaria no. 53/71, of 3 February (General Regulation for Hygiene and Safety at the Industrial Workplaces);
- Decree-Law no. 243/86, of 20 August (Technical rules regarding shops, offices and services);
- Decree-Law no. 347/93, of 1 October (General prescriptions for work organization);
- Portaria no. 987/93, of 6 October (Minimum standards for health and safety at the workplaces).

The Authority for Working Conditions verifies compliance with the law regarding to water supply and sanitation in the workplace (in industry, shops and construction sites) including the existence of drinking water supply, cafeterias, locker rooms and sanitation facilities.

Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion)
Official documents. Data from the national information system of the Authority for Working Conditions.

Reliability of the response: (i.e. high, medium, or low-level of confidence)
High

3.6.3 There is specific public funding to support access to water and sanitation by workers in their workplaces	X			
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Score justification (please provide brief explanation and/or examples that justify the answer)

There is no specific public funding for this purpose.

Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion)

Stakeholder consultation

Reliability of the response: (i.e. high, medium, or low-level of confidence)

High

Please calculate the score for Area 3.6

1. Add the points obtained (Yes = 3, To a large extent = 2, To a limited extent = 1, No = 0) - 4
2. Divide the number of total points by 3 – 1,3

Given the number of High, Medium and Low responses, the average reliability for this area is considered (please mark one option) High X Medium Low

Section 4. Keeping water and sanitation affordable for all

Areas of action	Relevant section in the “No One Left Behind” document
4.1 Public policies to ensure affordability of water and sanitation services	Section 6.1
4.2 Tariff system	Section 6.2
4.3 Social protection measures	Section 6.3

Quantitative information on affordability

<p>Please, provide the official definition of affordability (and/or target) in your country/region/city</p>	<p>Weight of the average expenditure with water and sanitation services on the average available revenue per household in the area of the system (€/year). In ERSAR's quality of service indicators, the assessment of affordability is framed by the following reference parameters: Good service quality [0; 0,50] Acceptable service quality]0,50; 1,00] unsatisfactory service quality]1,00; +∞ [</p>		
	<p>2011 or closest previous year (please indicate)</p>	<p>2006 or closest previous year (please indicate)</p>	<p>Source (please indicate whether this is an official source)</p>
<p>Amount of the average water and sanitation bill in the country/region/city (Euros/year)</p>	<p>185,95 €/ year</p>	<p>147,05 €/ year (2007)</p>	<p>ERSAR (Official source)</p>
<p>Amount of the water and sanitation bill in the country/region/city for households in the lowest wealth or income group (please specify whether this refers to lowest quintile, lowest decile, or people under the national poverty line) (Euros/year)</p>	<p>120,95 €/ year (considering that every operator follows ERSAR's recommended social tariff.</p>	<p>N.A. (at the time there was no recommendation)</p>	<p>There is no cross information on income and bill actually paid by each user (this is only possible per region). However, considering that the social tariff recommended by ERSAR is followed by every operator the average value for the poorest families could be reduced to 120,95€/year.</p>
<p>Average disposable household income (or expenditure) (Euros/year)</p>	<p>30668€/ year</p>	<p>29927€/ year (2007)</p>	<p>Adapted from Statistics Portugal (Official source)</p>
<p>Average household income (or expenditure) for households in the lowest wealth or income group (please specify whether this refers to lowest quintile, lowest decile, or people under the national poverty line) (Euros/year)</p>	<p>2798€/ year (2010)</p>	<p>N.A.</p>	<p>Adapted from Tax Authority (Official source) – The figures are strictly based on income data and do not include social transfers (as the disposable income does). This corresponds to the average income for tax purposes of the households earning less than 5000€ per</p>

			year, which amounts to around 12% of the total households.
Public financial resources spent in ensuring affordability of the water and sanitation bill (million EUR)	N.A.	N.A.	The amount of subsidisation is defined nationally and at municipal level. The amount currently used to benefit the poorest users through social tariffs is around some 2,8 million EUR per year according to a recent study made by ERSAR. However this is not the only source of subsidisation.
Public financial resources spent in ensuring affordability of the water and sanitation bill (EUR per capita)	N.A.	N.A.	The amount of subsidisation is defined nationally and at municipal level. The number of beneficiaries of social tariffs is estimated to be around 45.000. The per capita subsidy attributed through social tariffs is therefore estimated to be around 62 EUR per year according to a recent study made by ERSAR. However this is not the only source of subsidisation.
Public financial resources spent in ensuring affordability of the water and sanitation bill (% of public budget for water and sanitation)	N.A.	N.A.	

Area 4.1 Public policies to ensure affordability

Rationale. The water and sanitation bill (including wastewater treatment charges) may represent a high financial burden, particularly for the poorest households. Affordability is a common and increasing concern. However, in many cases, national local policies do not address this issue.

	No	To a limited extent	To a large extent	Yes
4.1.1 There is data on affordability of water and sanitation services				X

Score justification (please provide brief explanation and/or examples that justify the answer)
 Alongside with the calculation of a macro affordability indicator, included in the quality of service regulation made by ERSAR and which aims to calculate average values of affordability by consumers, as mentioned in 2.2, ERSAR also performs micro affordability sensitivity analysis. This analysis includes a calculation, per municipality, of the percentage of the disposable income used by those earning the minimum wage to pay for water services. The preliminary data for 2011 shows that these services charges to consumers represent on average less than 0,7% of the annual disposable income (consumption of 120 m³/year).

Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion)
 Official documents (preliminary data of the quality of service evaluation made by ERSAR for the macro affordability indicator, specific studies performed by ERSAR for the micro affordability indicator)

Reliability of the response: (i.e. high, medium, or low-level of confidence)
 High

4.1.2 Water and sanitation policy includes affordable access as one of its objectives				x
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Score justification (please provide brief explanation and/or examples that justify the answer)
 This is one of the underlining principles of the strategic plan and one of the main missions attributed to ERSAR.

Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion)
 Official document available here: www.maotdr.gov.pt/Admin/Files/Documents/PEAASAR.pdf (PEAASAR II)

ERSAR's website > Section "Mission"

Reliability of the response: (i.e. high, medium, or low-level of confidence)
 High

4.1.3 Social policy addresses affordability of water and sanitation services				x
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Score justification (please provide brief explanation and/or examples that justify the answer)
 Social concerns regarding affordability of water and sanitation services are closely related to tariff policy. According to a recent study made by ERSAR nearly one half of the operators had some kind of social support to certain groups of consumers and the majority of these had as main criterion for eligibility the income of the household, among others.

Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion)
 Official document (preliminary results of ERSAR's study on social tariffs) and expert opinion.

Reliability of the response: (i.e. high, medium, or low-level of confidence)
 Medium

4.1.4 There is a policy to address affordability of self-provided water and sanitation services		X		
<p>Score justification (please provide brief explanation and/or examples that justify the answer) As this policy is defined at municipal level, there are some municipalities where this is a concern for decision makers and a specific policy was defined to support this group of the population. Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion) Expert opinion Reliability of the response: (i.e. high, medium, or low-level of confidence) Low</p>				
4.1.5 There is specific public funding to address affordability concerns			X	
<p>Score justification (please provide brief explanation and/or examples that justify the answer) At some municipalities there is subsidisation, namely through low tariffs or specific social tariffs defined for the poorest. The amount needed to subsidise these tariffs comes mainly from local public budgets. Also, at national level, the eligibility criterion for accessing EU funding includes affordability concerns aiming to reduce the end-user tariffs by financing investments. Social Security has a specific aid for families in critical need of financial support to pay for water and sanitation services under short periods of time. Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion) Official document (preliminary results of ERSAR’s study on social tariffs) and expert opinion. Reliability of the response: (i.e. high, medium, or low-level of confidence) Medium</p>				
<p>Please calculate the score for Area 4.1 1. Add the points obtained (Yes = 3, To a large extent = 2, To a limited extent = 1, No = 0) <u>_12_</u> 2. Divide the number of total points by 5 <u>_2,4_</u></p>				
<p>Given the number of High, Medium and Low responses, the average reliability for this area is considered (please mark one option) High <u>___</u> Medium <u>_x_</u> Low <u>___</u></p>				

Area 4.2 Tariff measures				
Rationale. Tariff design offers several options to address affordability issues, such as through progressive tariff systems or through social tariffs. Preferential tariffs are mostly financed by higher tariffs on other users.				
	No	To a limited extent	To a large extent	Yes
4.2.1 Different options to address affordability issues through tariff measures have been analyzed				X
<p>Score justification (please provide brief explanation and/or examples that justify the answer) Several studies have been made on how to structure social support to address affordability issues, either through social tariffs, cross subsidisation between users (e.g. domestic and non-domestic users), cross subsidisation between richer and poorer regions, among others.</p> <p>Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion) Expert opinion, available information on unpublished studies.</p> <p>Reliability of the response: (i.e. high, medium, or low-level of confidence) Medium</p>				
4.2.2 Tariff measures have been included in a strategy to address affordability issues				X
<p>Score justification (please provide brief explanation and/or examples that justify the answer) The principle of affordability of these essential services is part of the strategy for the sector and is part of ERSAR's mission of safeguarding consumers' interests. ERSAR's recommendations on tariffs are part of an integrated approach to provide more rationality to the tariffs charged for these services and have several dispositions that aim to address not only affordability at a macro level (on average) but the affordability of these services for the poorest.</p> <p>Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion) Official document available here: www.maotdr.gov.pt/Admin/Files/Documents/PEAASAR.pdf (PEAASAR II) ERSAR's website > Section "Mission"</p> <p>Reliability of the response: (i.e. high, medium, or low-level of confidence) High</p>				
4.2.3 Tariff measures to address affordability issues have been implemented			X	
<p>Score justification (please provide brief explanation and/or examples that justify the answer) Several municipalities already apply a social tariff (nearly half of them) and many of them have tried to adapt their tariff structures to those recommended by ERSAR. With the growing awareness of these recommendations and their underlying rationality it is likely that there is a broader implementation of these measures.</p> <p>Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion) Official documents (analysis of the degree of implementation of ERSAR's recommendations) and expert opinion.</p> <p>Reliability of the response: (i.e. high, medium, or low-level of confidence) Medium</p>				

4.2.4 Tariff measures implemented to address affordability issues are not damaging the financial sustainability of service provisions			X	
<p>Score justification (please provide brief explanation and/or examples that justify the answer) Some municipalities in Portugal tend to adopt a tariff policy of having a low price for these services in order for consumers to be able to afford it. This is a practice ERSAR is trying to abolish since this poses real problems in terms of sustainability of the service in the long term and does not have a significant impact in the consumers who really need social support. With the gradual implementation of ERSAR's recommendations it is expected that sustainability problems will disappear with time. Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion) Expert opinion Reliability of the response: (i.e. high, medium, or low-level of confidence) Medium</p>				
<p>Please calculate the score for Area 4.2 1. Add the points obtained (Yes = 3, To a large extent = 2, To a limited extent = 1, No = 0) <u>10</u> 2. Divide the number of total points by 4 <u>2,5</u></p>				
<p>Given the number of High, Medium and Low responses, the average reliability for this area is considered (please mark one option) High <u> </u> Medium <u>x</u> Low <u> </u></p>				

Area 4.3 Social protection measures

Rationale. Social protection measures offer several options to address affordability issues without modifying the design of existing water and sanitation tariffs. They can be aimed at avoiding non-payment of water bills (preventive) or at paying water debts (curative). They are mostly financed by general (local, regional or national) taxes.

	No	To a limited extent	To a large extent	Yes
4.3.1 The impacts of different alternatives to address affordability issues through social protection measures have been analysed				X

Score justification (please provide brief explanation and/or examples that justify the answer)

There is no national policy regarding preventive or curative social protection measures. There are however some local policies at municipal level to address this problem which are integrated with other social concerns for those people who cannot pay for several essential services or products. In the framework of the social protection system at national level, curative measures to address affordability of water and sanitation have been analyzed and may be considered in relevant situations. Social Security Services may pay water debts of families or individuals who are in difficult economic situations, during a specific period of time. Individuals or families in situations of proven economic need - per capita income lower than the social pension, updated annually - are entitled to such benefits.

This kind of grants/benefits aim at paying expenses that cannot be postponed, such as provision of basic services as water and sanitation.

This cash benefits may be granted by means of:

- One-off payment when a temporary economic need is identified;
- Monthly allowances for a maximum of 6 months, when the economic need or the integration path of individuals/families justify it.

Prior to granting this type of grants technical intervention by the social security services is mandatory, to collect the necessary information to complete a social diagnosis and the study of the economic situation of the individual/family.

Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion)
Expert opinion; Stakeholder consultation

Reliability of the response: (i.e. high, medium, or low-level of confidence)
High

4.3.2 Social protection measures have been included in a strategy to address affordability issues				X
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Score justification (please provide brief explanation and/or examples that justify the answer)

These measures are not included in the national strategy for the sector. Nevertheless, at municipal level, social services have usually an integrated approach to address those families which may have affordability and low income issues.

In the framework of the social protection system measures to address affordability so that families or individuals may have access to the provision of services are included in the strategy of social protection.

To promote the access of families or individuals in need to services and goods, there is a common reference, which is taken into account when social security services grant any kind of benefit or subsidy.

The common reference establishes that the following conditions must be observed:

- Lack of other adequate means and/or resources within the social security system to the

situation identified;

- Evidence of identity of the individual/family;
- Evidence of residence of the individual/family in the geographical area covered by the local service of social security;
- Availability of the individual/family to subscribe the social integration plan.

Contingent allowances may be combined with other measures of support to the household.

Prior to granting this type of grants technical intervention by the social security services is mandatory, to collect the necessary information to complete a social diagnosis and the study of the economic situation of the individual/family.

Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion)
Expert opinion; Stakeholder consultation

Reliability of the response: (i.e. high, medium, or low-level of confidence)

High

4.3.3 Social protection measures to address affordability issues have been implemented

X

Score justification (please provide brief explanation and/or examples that justify the answer)

Social protection measures to address affordability issues have been implemented. As mentioned in the first question, Social Security Services may pay water debts of families or individuals who are in difficult economic situations, during a specific period of time.

Prior to granting this type of grants technical intervention by the social security services is mandatory, to collect the necessary information to complete a social diagnosis and the study of the economic situation of the individual/family.

There are some ad hoc social protection measures implemented at municipal level which aim to address not only affordability issues to access water and sanitation but to address a proper standard of living for the poorest families.

In Lisbon, the local drinking water operator (EPAL) is running a project since October 2012 together with 43 of the 53 parishes (boroughs) aimed at relieving the poorest households of the service quota (fixed tariff) for 18 months. The project now covers 6.800 households. The allocation of this support is based on a selection performed by the local parishes and it accounts for a 73,80€ saving in the water bill per household (4,10€/month). EPAL expects it to represent an investment of 610.000€ in a year. The operator points that na average monthly water bill for domestic households of 8,08€ will suffer a 51% reduction. A family with 5 m³/month water consumption will save 81%, on average, and 36% on average with 15 m³/month water consumption.

Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion)
Expert opinion; Stakeholder consultation

Reliability of the response: (i.e. high, medium, or low-level of confidence)

High

Please calculate the score for Area 4.3

1. Add the points obtained (Yes = 3, To a large extent = 2, To a limited extent = 1, No = 0) _9
2. Divide the number of total points by 3 _3

Given the number of High, Medium and Low responses, the average reliability for this area is considered (please mark one option) High _ X _ Medium ___ Low__

SUMMARY SHEET

Section	Area of action	Score	Reliability
Steering governance frameworks to deliver equitable access to water and sanitation	1.1 Strategic framework for achieving equitable access	1,8	High
	1.2 Sector financial policies	1,6	Medium
	1.3 Rights and duties of users and right-holders	2,6	High
	1.4 Incentive framework for water and sanitation service providers	1,75	Medium
Reducing geographical disparities	2.1 Public policies to reduce access disparities between geographical areas	1,2	Medium
	2.2 Public policies to reduce price disparities between geographical areas	3	High
	2.3 Geographical allocation of external support	2,5	Medium
Ensuring access for vulnerable and marginalised groups	3.1 Public policies to address the needs of vulnerable and marginalised groups	1	Low
	3.2 Persons with special physical needs	2	High
	3.3 Users of institutional facilities and institutionalised persons	1,8	High
	3.4 Persons without a fixed residence	1,3	Low
	3.5 Persons living in housing without water and sanitation	0,6	Medium
	3.6 Persons without access to water and sanitation in their workplaces	1,3	High
Keeping water and sanitation affordable for all	4.1 Public policies to ensure affordability	2,4	Medium
	4.2 Tariff system	2,5	Medium
	4.3 Social protection measures	3	High

ANNEX. ACCESS IN SPECIFIC INSTITUTIONAL FACILITIES

(All contents of this annex have been included in Section 3)

Area 3.3.A Educational facilities				
	No	To a limited extent	To a large extent	Yes
3.3.1.A There is data on levels of access to water and sanitation in educational facilities				X
<p>Score justification (please provide brief explanation and/or examples that justify the answer)</p> <p>It is compulsory for Portuguese Schools to provide access to water and sanitation, according to national regulations. All Parque Escolar Schools comply with this legal obligation. However, no official document was provided to support this claim.</p> <p>Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion) Multi-stakeholder consultation</p> <p>Reliability of the response: (i.e. high, medium, or low-level of confidence) High</p>				
3.3.2.A There is a public policy to ensure access to water and sanitation by users of educational facilities				X
<p>Score justification (please provide brief explanation and/or examples that justify the answer)</p> <p>Portuguese regulations stipulate the obligation to provide access to water and sanitation in all schools (RGEU- Regulamento Geral das Edificações Urbanas- DL 38 382, of 07/08/1951, in its current wording; Regulamento Geral de Higiene e Segurança do Trabalho nos Estabelecimentos Comerciais, de Escritório e Serviços -DL 243/ 86, of 20/08/86).</p> <p>Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion) Official documents</p> <p>Reliability of the response: (i.e. high, medium, or low-level of confidence) High</p>				
3.3.3.A There is specific public funding to support access to water and sanitation by users of educational facilities	X			
<p>Score justification (please provide brief explanation and/or examples that justify the answer)</p> <p>There is no specific funding for water and sanitation for educational facilities. However, Portuguese Schools have to consider these costs in their budgets and assure their payment. Since public schools are financed through the Portuguese Government, these services are already included in their financial budgets.</p> <p>Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion) Official documents: State budget, Ministry of Education budget, School budgets.</p> <p>Reliability of the response: (i.e. high, medium, or low-level of confidence) High</p>				
3.3.4.A Educational facilities have relevant complaint mechanisms in place				X
<p>Score justification (please provide brief explanation and/or examples that justify the answer)</p> <p>In terms of school service, complaints should first be addressed to the school board, and secondly to</p>				

the Ministry of Education.

In terms of facilities management, Parque Escolar's Schools can address Parque Escolar to solve infra-structural problems (Parque Escolar is a State-owned company created in 2007 to renovate and manage Portuguese school facilities – mostly secondary schools).

Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion)

Official documents: On what concerns Parque Escolar's Schools, there is a contract, between the Ministry of Education and this State-owned company defines sanctions for the non-availability of the infrastructure.

Reliability of the response: (i.e. high, medium, or low-level of confidence)

High

3.3.5.A Educational facilities have separate toilets for males and females as well as adequate facilities for menstrual hygiene management				X
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Score justification (please provide brief explanation and/or examples that justify the answer)

Portuguese Legislation for working conditions specifies separate toilets for males and females, with service in accordance. Parque Escolar claims that 100% of the schools managed by this public company have separate toilets. However, no official document was provided to support this claim.

Menstrual hygiene should have a separate question.

Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion)

Official documents: DL 243/ 86 (Regulamento Geral de Higiene e Segurança do Trabalho nos Estabelecimentos Comerciais, de Escritório e Serviços)

Reliability of the response: (i.e. high, medium, or low-level of confidence)

High

Area 3.3.B Health facilities				
	No	To a limited extent	To a large extent	Yes
3.3.1.B There is data on levels of access to water and sanitation in health facilities				X
<p>Score justification (please provide brief explanation and/or examples that justify the answer)</p> <p>The Ministry of Health informs that access to water and sanitation isn't denied to anyone. However, no document was provided to support this claim.</p> <p>Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion) Stakeholder consultation (Ministry of Health)</p> <p>Reliability of the response: (i.e. high, medium, or low-level of confidence) Medium</p>				
3.3.2.B There is a public policy to ensure access to water and sanitation by users of health facilities				X
<p>Score justification (please provide brief explanation and/or examples that justify the answer)</p> <p>Institutional facilities are designed to ensure access by users.</p> <p>Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion) Expert opinion (Ministry of Health)</p> <p>Reliability of the response: (i.e. high, medium, or low-level of confidence) High</p>				
3.3.3.B There is specific public funding to support access to water and sanitation by users of health facilities	X			
<p>Score justification (please provide brief explanation and/or examples that justify the answer)</p> <p>There is no specific funding. It isn't necessary since these facilities have to consider these costs in their budgets and assure their payment.</p> <p>Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion) Stakeholder consultation (Ministry of Health)</p> <p>Reliability of the response: (i.e. high, medium, or low-level of confidence) High</p>				
3.3.4.B Health facilities have relevant complaint mechanisms in place				X
<p>Score justification (please provide brief explanation and/or examples that justify the answer)</p> <p>It's mandatory by law. All public services must have relevant complaints mechanisms in place.</p> <p>Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion) Stakeholder consultation (Ministry of Health)</p> <p>Reliability of the response: (i.e. high, medium, or low-level of confidence) High</p>				

3.3.5.B Health facilities have separate toilets for males and females as well as adequate facilities for menstrual hygiene management			X	
<p>Score justification (please provide brief explanation and/or examples that justify the answer) It's mandatory for the more recent (last 20-30 years) facilities. Menstrual hygiene should have a separate question.</p> <p>Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion) Stakeholder consultation (Ministry of Health)</p> <p>Reliability of the response: (i.e. high, medium, or low-level of confidence) High</p>				

Area 3.3.C Prison facilities				
	No	To a limited extent	To a large extent	Yes
3.3.1.C There is data on levels of access to water and sanitation in prison facilities				X
<p>Score justification (please provide brief explanation and/or examples that justify the answer)</p> <p>According to the Ministry of Justice, prison facilities are part of the public water supply and sanitation, their consumption is measured together with other consumptions.</p> <p>The Ombudsman attests that there is data on levels of access to water and sanitation in prison facilities. Means used are the last Ombudsman reports over all the Portuguese prisons – civil and military, continental and on the Atlantic Islands of Azores and Madeira, including centers for illegal immigration. On this basis, we can assure a high level of confidence. Reports on prisons were published in 1996, 1998 and 2003.</p> <p>The Ministry of Internal Affairs attests that 340 infrastructures of PSP, as well as infrastructure of GNR and SEF have water and sanitation facilities. About 18% of the infrastructure of PSP (including detention centers) have specific sanitation facilities for handicapped people. There's no specific data for GNR infrastructure. The SEF temporary installation center of Porto (detention center) has specific sanitation facilities for handicapped people. The temporary installation center of Lisbon does not have specific facilities for handicapped people. The Santo António Housing Unit (Centro de Instalação Temporária (CIT) para migrantes em situação irregular em território nacional), of SEF, does not have specific facilities for handicapped people.</p> <p>Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion) Multi-stakeholder consultation</p> <p>Reliability of the response: (i.e. high, medium, or low-level of confidence) High</p>				
3.3.2.C There is a public policy to ensure access to water and sanitation by persons institutionalized in prison facilities				X
<p>Score justification (please provide brief explanation and/or examples that justify the answer)</p> <p>According to the Ministry of Justice, prison facilities employ general systems of water supply and sanitation.</p> <p>The Ombudsman answered positively - one of the most serious problems on Portuguese prisons in this area was the bucket toilet in each cell that, in 1996, still existed in many prisons. This was a serious deprivation of the right of access to sanitation. After several recommendations from de Portuguese National Ombudsman, cell buckets (or sanitary pails) were completely eradicated in 2009 as reported officially to the Council of Europe.</p> <p>Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion) Multi-stakeholder consultation</p> <p>Reliability of the response: (i.e. high, medium, or low-level of confidence) High</p>				
3.3.3.C There is specific public funding to support access to water and sanitation by persons institutionalized in prison facilities	X			
<p>Score justification (please provide brief explanation and/or examples that justify the answer)</p> <p>According to the Ministry of Justice, water and sanitation used in prison facilities is funded from the general budget of the prison services</p>				

<p>According to the Ombudsman, there is no specific public funding to support access to water and sanitation by persons institutionalized in prison facilities.</p> <p>Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion) Multi-stakeholder consultation</p> <p>Reliability of the response: (i.e. high, medium, or low-level of confidence) High</p>				
3.3.4.C Prison facilities have relevant complaint mechanisms in place				X
<p>Score justification (please provide brief explanation and/or examples that justify the answer)</p> <p>According to the Ombudsman, mechanisms for complaints from prisoners on water and sanitation facilities are not specific. They use the general mechanisms (General Inspection Body for Justice Ministry and Portuguese Ombudsman).</p> <p>Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion) Stakeholder consultation</p> <p>Reliability of the response: (i.e. high, medium, or low-level of confidence) High</p>				
3.3.5.C Prison facilities have separate toilets for males and females as well as adequate facilities for menstrual hygiene management				X
<p>Score justification (please provide brief explanation and/or examples that justify the answer)</p> <p>According to the Ministry of Justice, prison facilities for males and females are independent, there is no sharing of any kind of services</p> <p>According to the Ombudsman, men and women are absolutely separated different prisons: 46 male prisons and 3 female. Even where male prisons display very small female sections (four of the 46 male prisons), women are housed in different buildings and have their own and proper sanitary facilities.</p> <p>Menstrual hygiene should have a separate question.</p> <p>Means of verification used: (e.g. official documents, multi-stakeholder consultation, expert opinion) Multi-stakeholder consultation</p> <p>Reliability of the response: (i.e. high, medium, or low-level of confidence) High</p>				